THE BOMBAY COURIER

PUBLISHED THRICE A-WEEK.—EVERY TUESDAY, THURSDAY, AND SATURDAY MORNING.

PRICE 14 RUPEES PER QUARTER:—OR, IF PAID IN ADVANCE, FOR A WHOLE YEAR 40 RUPEES—FOR HALF A YEAR 22 RUPEES—FOR A QUARTER 12 RUPEES.

No Subscriptions can be received as in Advance, unless the amount be actually paid or remitted, before or within the first week of the quarter or half year, or of the first month of the year, for which the subscription is proposed

VOL. XLVII. TUESDAY 12 FEBRUARY, 1839. NO. 3212

IN THE COURT FOR THE RELIEF OF INSOLVENT DEBTORS.

In the matter of James Barron an Insolvent.

TO be sold by Auction, by order of the Common Assignee, on Tuesday the 19th Inst, at 11 A. M. by BLACKWELL, CURSETJEE & Co. on the premises in Rampart Row, the Stock in Trade & property of the above Insolvent, consisting of a variety of Jewelry, Plate, Plated Ware, unfinished Silver Articles, Watches by "*McCabe*" and other makers, two handsome Regulating Clocks in Mahogany Cases, a quantity of Ornaments for Military Appointments, Regimental Buttons, a quantity of Watch Glasses of different Sizes, two Barometers. a quantity of Silver filings, Pieces of Gold and Silver, numerous valuable Dies and Turning Instruments, Glass Cases, Cupboards, an Iron Treasure Chest, a few articles of household Furniture and Sundries.

The property will be on view from the 15th Instant, (Sunday excepted.)

No. 10, Forbes Street, Bombay, 12th Feb. 1839.

SALE BY AUCTION.—THIS DAY the 12th February, BLACKWELL CURSETJEE AND Co. will sell by Public Auction, at their Rooms at 11 A. M. large and small Blankets, an Invoice of Canvas, the remains of Invoices of Brown Holland and Flannel, a few Cashmere Shawls, Bengal Table Cloths, Windsor Soap, Reams of colored Demy Paper, Childrens Toys—Accordions—Glass Beads—Black Lead Pencils -Walking Sticks, also, Sundry Articles of household Furniture, Glass, Queen's Ware, a few Silver and Plated Articles, Culinary Utensils, &c. (the property of a Gentleman who has left the Presidency.)

AT NOON.—About one hundred and twenty dozen of Bottled Pale Ale *(similar to that sold last auction.)*

AT 1 P. M.

A young Grey Arab Horse, 6 years old, goes in single or double Harness, a powerful Mahratta Poney, has been ridden by a Lady,—And any other Cattle or Carriages that may offer.—Bombay, 12th Feb. 1839.

SALE BY AUCTION.—On or about the 5th March next, BLACKWELL, CURSETJEE AND Co. will sell by Public Auction, at his residence, the "*Shrubbery*," the Household Furniture and Property of the Honorable J. A. DUNLOP, Esq. leaving Bombay—The same consists of handsome Plated Ware, Glass, Breakfast, Dinner, and Desert Services; handsome Household Furniture of every description; a very handsome Rose-wood "*Una Corda Patent Self Adjusting*" Pianoforte made by "*Robert Wales*"; Pedestal and Suspending Argand Lamps; a handsome Eight-Day French Clock; Wall Shades with cut Pans and Drops; a Patent Steel Spring Bed for large Bedstead; a Mahogany Steel Spring Couch and a pair of Mahogany Easy Chairs upon the same principle; Dispense Furniture, Cooking Utensils, &c.

ALSO.

A light Posting English Chariot with Harness, a double bodied Cabriolet Phaeton with Rumble (made to order for this country by "Fife" of Long Acre) and nearly new Harness; two pairs of Grey Carriage Horses; a Grey Saddle Horse; two Bay Saddle Horses, have been ridden by Ladies; Ladies' and Gentlemen's Saddles and Bridles; two Palanquins, &c. &c.

Further particulars will be given in future Advertisements, and Catalogues will be published.—No. 10. Forbes' Street, Bombay, 12th February, 1839,

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BLACKWELL CURSETJEE AND CO. Have received and exposed for Sale an Invoice of valuable Jewellery, consisting of, Handsome Bracelets, Finger Rings, Diamond and other Broaches, Locket Loops, Breast Pins, richly Chased Seals, engraved and Plain Chased Keys, handsome curb Watch Chains, Gold and Silver Snuff Boxes, Silver Filagree Necklaces, Elephant Tusk Snuff Boxes, Gold and Silver mounted Spectacles, Platina, gold and silver Watch Guards, Jet Earrings and Broaches, Enamelled mourning ditto &c. &c —No. 10 Forbes Street, Bombay, 12th Feb., 1839.

BLACKWELL, CURSETJEE & CO., have received and exposed for Sale, an Invoice of China Camphor Wood Trunks, both Plain and covered.—Also, a handsome large sized Breeding Cage.

Bombay, 12th February, 1839.

BLACKWELL, CURSETJEE & CO., have just received and exposed for sale an Invoice of very handsome Dinner Services—Priced moderate.

Bombay, 12th February, 1839.

FOR SALE.—A Rose Wood "Royal Patent *Equal Tension* "Pickloe" Piano, by "Robert Wornum", Price Rupees 350 and

A late Chest very neatly fitted up, Price Rupees 700.

SALE BY AUCTION.—On Wednesday the 13th instant, Messrs. *Robert Frith and Co.* will sell by Public Auction at his Residence Mazagon, next door to Jamsetjee Jeejeebhoy's Esq. The neat and modern Household Furniture, Plate, Plated, Glass and Queens Ware of *Dr. G. A. Stewart*, proceeding to England, consisting of a handsome Jackwood Dining Table in 4 pieces, Sofa and Round Tables, Handsome Damasks Couches with Chairs to match, an Elegant 6 light Chandelier, double branch Wall Shades, Hanging Lamps, Best English Silver Dinner, Dessert, and Tea Spoons, ditto Forks, a beautiful centre Piece, Liquor and Cruet frames; Rich Cut Dessert set, Superior Dinner Services, a Beautiful Dessert and Tea set of fawn Color and gold with painted Landscape Centre, Breakfast sets, a well fitted Camp Case, Four post and other bedsteads, a fine DressingGlass, Ladies Toilet Tables, washing Stands, Wardrobes, Sideboards, Cookroom Furniture, Cooking Pots, and the usual requisites of a well furnished establishment.

AT NOON.—Unless previously disposed of, a Bengal built Shigram, a strong serviceable Shigram Horse, and a fine Arab riding Horse that has carried a Lady. Catalogues are prepared and the Property on view.

ON Wednesday the 20th Inst. Messrs. ROBERT FRITH & Co. will submit to Public Auction, the following valuable Goods, to close accounts.

Weiss's and Son's Instruments, Brass and White Metal Enema Syringes, Lancets, Field Turniquets, Brass Turniquets, Patent Phlemes, of German Silver and Steel Pocket cases of Phlemes and Horse Lancets, Pocket cases of Surgeon's Instruments, Dentist's Instruments, single and double Trusses, &c. &c.

Hollzapffel & Co.'s Tools, Pocket Cases of Carpenters Tools and Files, horse trimming instruments, Vices; Bed Wrenches, Steel drill bows, Anvils, Paste board cutters, Sliding guages, &c. &c.

Peats, best silver mounted Jockey whips, Watering Pots of Sizes, Japanned Jacks, Water Cans, Shaving Pots, Powder flasks, Pannakins, Chocolate Mills, Spice Boxes, Sugar ditto. Black Tin fish Kettles, Tea Pots, Stewpans, Tea Kettles Tin & Brass, Foot Baths, Paper Boxes, Bread Baskets, and Knife Trays, Fencing foils and masks, Letter Racks, wire gauze plate covers, Tea Trays, Brass Candlesticks, Naval and military Regulation Swords, particularly Light, and of the finest steel, with brass and steel Scabbards, Pistol flasks, Toddy Kettles, &c. &c. Turkey Red Prints; an Invoice of Fancy Stationary consisting of Albums Embossed cards, Music Books and paper visiting cards, Artists Pencil Cases, Pens &c. &c.

ON Sale at the Godowns of MESSRS. FORBES AND Co. the following Wines, just imported.

Champaign from Messrs. Escombe and Sidebotham, in 3 dozen cases, at Rs 36 ℔ dozen.

Pale Sherry from Mr. R. Bowman, at Rs 375 ℔ Hhd.—Bombay, 12th Feb. 1839.

DIRECT from the PROPRIETORS in cases of a dozen quarts.

	Rs		Rs
St. Julien Medoc at	8-12-18	22 Old Cognac at	12 20
Brane Monton		25 Grand La Rose	12
Chateau Lafitte		30 White Vinegar	10
Salad Oil		18 Liqueurs assorties	25
Chapaigne d' Ai (1 doz pints)		20	

Orders will be Registered, terms cash, for the following expected from Bordeaux in a fortnight.

Fresh Salted Beef and Pork in Keg 56 lb nett.....Rs 25
Old Cognac in case of 12 pints..... 11
Do. do. do. Keg of 8 and 15 Gallons.....33 and 60

Apply to A. WILLAUME AND Co. Military Square.

EAST INDIA AGENCY IN LONDON, FOR PASSENGERS, *No.* 11, *Leadenhall Street*. Parties arriving in England. will on immediate application to Mr. ALEXANDER *East India Passage Agent, No.* 11, *Leadenhall Street* (*next door to the India House*), secure the most prompt and speedy attention in regard to the clearing and forwarding of their baggage, engaging furnished apartments in town to prevent the expense of resorting to Hotels; procuring immediate return engagements for native servants, and in all other matters consequent on a first arrival in London.

☞ Publishing office of the "East India and Colonial Magazine, No. 11, Leadenhall Street.—London, 25th Sept 1836

IN THE PRESS AND WILL BE SPEEDILY PUBLISHED A SECOND EDITION OF

THE BOMBAY CALENDAR AND ALMANACK, with an INDIAN CALENDAR, for 1839; with numerous corrections and additions. Among other miscellaneous information, the first edition contained the Regulations for the Bombay Steamers, together with authentic and practical information on the subject of the OVERLAND ROUTE; dates of probable arrivals and departures of, and rates of passage, by the various Mediterranean Steamers &c. &c.—In addition to the above, the *Second* Edition will contain the latest and most correct lists of the House of Peers and Commons; the Ministry and Chief Officers of State; Judges, Ambassadors,—British and Foreign; Principal Public Offices &c. &c. compiled from the Parliamentary Guide and the Parliament Almanack for the present year.

The Army List will be corrected to the 31*st January*, and the Civil and Indian Navy Lists to the 15th *February* instant.

Courier Office, 12th February 1839.

FOR SALE.

THE INDIAN CALENDAR, for the year 1839, shewing the various modes of reckoning time, among the HINDOOS, PARSEES, MAHOMEDANS, and MALABARIANS. Also a list of such holidays as are allowed by Goverment during the year, printed on Europe Paper.—PRICE RUPEES Two.

Courier Office, 12th February 1839

FOR SALE—No. XXXII, of the QUARTERLY ARMY LIST corrected up to 31st October 1838. Printed on Europe paper.—PRICE, RUPEES 3.—Courier Office, 12th February 1839.

MESSRS. TREACHER & CO. have received per Ship "MERMAID" a fresh supply of Drugs, Patents Medicines &c. consisting of Camomile Flowers, Cold Drawn Castor Oil, Hydriodate of Potash and Iodine, Kreosole, Manna, Turkey Rhubarbs in Powder, Essential Oils of Lemon, Lavender, and Bergamott, Lozenges and Acid Drops, in glass stop'd bottles &c. &c.

PATENT MEDICINES.—*Blair's* Gout and Rheumatic Pills, *Dixon's* Antibilious Pills, *Moxon's* Effervescing Magnesian Aperient, *Savory* and *Thompson's* Cheltenham Salts, *James'* Fever powders, *King's* and *Perry's* Tooth Essences.

MISCELLANEOUS ARTICLES,—Prepared Canvas for painting; Camel's and Sable hair pencils, Ultra-marine, Lake Red, and various colours; Patent Lavements and Stomach Pumps, by *Reid, Weiss Savigny, Maw, Compton*, and *Wright*; Thermometers, Satin Wood Flesh brushes, Hair, Tooth, and Nail brushes, Gentleman's Eye Glasses, Spectacles, and Wire Gauze preservers, Gentlemen's Riding belts, *Mordan's* patent stop'd Smelling bottles, Office fire boxes, *Abernethy's* Ear Syringes, Superior Penknives.

PERFUMERY.—from the well known houses of *Smyth* and *Nephew* and *Delcroix*.

BOOKS.—De La Beche's Geology, Majendie's formula of new Medicines, Thomas' practice of Physic, Jukes on Indigestion, Cookery books, Griffins Chemical Recreation, Endless amusements, Copland's Dictionary of Practical Medicene, The Horse, Graham's Domestic Medicine, Graham's diseases of females.

Soda Water and Lemonade, of superior quality, manufactured daily on the premises.—Bombay, 11th February 1839.

ADVERTISEMANT.

NOTICE is hereby, given, that the Trustees appointed in and by a certain award lately made in a suit in which *Aishaw Bebee*, was complainant and *Bhicco Bebee, Fatima Bebee, Mynaodeen* bin *Mahomedeen Alloudeen*, Khuteb and others Defendants, will sell by Public Auction at 3 o'clock on Monday the 18th day of February instant, the following Property.

1st All that messuage, Tenement or Dwelling house, situate in *Jambee* street, without the Fort walls, assessed No. 2, late in the Possession of *Abdull Rahimon Nalcanday*, deceased,

2nd all that Messuage, Tenement, chawl, or Range Assessed No. 268, situate without the Fort on the Parell Road, let at rent to one Chimmee woman.

3rd. All that messuage, Tenement, Chawl or Range, Assessed No. 167, situate without the Fort, in Coombarwaddah, at present only in part occupied by tenants.

4th All that nessuage, Tenement or Dwelling House, situate without the Fort walls, Assessed. No. 7, called the Familly House of the *Abdul Rahimon*, Nalcanday and now occupied by his Daughter *Fatima Bebee*

5th All that Oort situate at Versavah on the Island of Salsette, now in the possession of one *Syed Ebrahim*.

The above mentioned property being well situated can be recommended to purchasers, and may be inspected at any time before the sale on Application to Mr. *Morgan* Attorney at Law at his Office, who will also furnish the conditions of sale.—Dated this 11th February, 1839.

ખબર • ફ્રીઓથી • આપીએયર્જે—આશ્રી મા • ખીબી • વાદી • તથા • લીખુ • ખીબી • તથા • ફાતમા • ખીબી • તથા • મેનુદીન • ખીન • મકમદ • આલુદીન • ખતીબ • તથા • ખીબઅંબે • પરતીવાદી • એ • ફકજીઆમો • ઠેરવેલા • તરશટી ઓ • ફાલમો • એફ • વારડ • ફરેમોજે • તે • કુપર થી • ફેઠલ • ફકેલી • મીલફતો • શીમવારે • તા૦ ૧૮ મી • ફેબરવારી • ચાલતા • મફીનાંની એને દીને • પાજલા • પોફોરનાં • ફલાફ ૩ નાં • બફેર લીલાંકુ • ફરીને • વેચશે ❀

પેફેલુ—ઘેર • એફ • તે • બાફારફોટ • જાંમલી • પ્રોફોલામો • તે • કુપર • જાપાનો • આંફ ૨ બો તે • મરનાર • અબદુલ • રેફેમાંન • નારખંડેનાં • શા વાધીનમો • કૃતી ❀

ખીજી—ચાલ • એફ • તે • કુપર • જાપાનો • આંફ ૨૬૮ મોજે • તે • શ્રી • બાફારફોટ • પરલેનાં રશતા • કુપર • તે • ચીમની • ઓરતને • લાકે • આપેલીજે ❀

તરીજી—ચાલ • એફ • તે • કુપર • જાપાનો • આંફ ૧૬૭ મોજે • તે • શ્રી • બાફારફોટ • કુમાર • વાડામોજે • તેમો • ફાલમો • એફ • લાગમો • લા કુતોજે ❀

ચોથુ—ઘેર • એફ • શ્રી • બાફારફોટ • તે • કુપર જાપાનો • આંફ ૭ મોજે • તેને • મરનાર • અબદુ લ • રેફેમાંન • નાંલખાકેનાં • ફુટમબનુ • ઘેર • ફરી ને • ફેફે જે • તથા • તેમો • ફાલમો • તેની • છોફ રી • ફ્રાતમા • ખીબી • રેફેજે ❀

પાંચમુ—નારીઅલીનાં • બફાકાની • વાકી એફ • તે • શાલશેટમો • વેશાવામોજે • તથા • ફાલ મો • શાજએદ • ઇલરાંમનાં • શવાધીનમોજે ❀

એ • કુપર • ફકેલી • મીલફતો • શારી • ફાલત મોજે • તથા • ખરીદદારોને • લલાંમણ • ફરવા • જેગજે • તથા • તે • વેચાંણ • અગાકુ • ફરએફ • વ ખતે • મીશાતર • મારગીન • ધારાનાં • વફીલની • આરીશમો • અરજ • ફરેઆથી • જેવાને • મલશે તથા • તે • ધણી • વેચાંણની • બોલીથી • બંણીતા ફરશે—તારીખ ૧૧ મી • ફેબરવારી ૧૮૩૯

FORT WILLIAM.

LEGISLATIVE DEPARTMENT.

THE 28TH JANUARY, 1839.

The following Draft of a proposed Act was read in Council for the first time on the 28th January, 1839.

ACT No. OF 1839. A

I. The existing Charter of the Bank of Bengal having been found in many respects inconvenient and imperfect, the Members of the said Corporation have by their Directors applied to the Governor General of India in Council for the amendment thereof, by a new Charter or Act of Incorporation, tendering the surrender thereupon of the said Charter, and the Governor General in Council having assented to such surrender, and to the contiuuance of the said Corporation as hereinafter declared;—It is hereby enacted that from the 1st day of May next after the passing of this Act the Charter of the said Bank of Bengal bearing date the 29th May 1823. and the Acts No XIX. of 1836 and No. XXIV. of 1838 relating thereto, shall respectively cease to have effect; and the same are hereby from that day cancelled, save as to such particulars as are herein mentioned or referred to.

II. And it is hereby enacted, that the persons who at the time of the determination of the said Charter and Acts aforesaid shall under, the provisions of the said Charter and Acts be the Proprietors of the Capital Stock of the said Bank of Bengal, shall notwithstanding the determination of the said Charter and Acts continue to be a corporation body corporate and politic by the name of the Bank of the Bengal with perpetual succession to them and their successive Proprietors for the time being of the said Bank as hereinafter mentioned, and to possess and enjoy all the rights privileges and immunities incident by law to a corporation aggregate.

III. And it is hereby enacted, that all property and securities for property, claims and demands whatsoever now vested in or held by the said Bank of Bengal, under and by virtue of the said Charter and Acts, shall immediately on the determination of the said Charter devolve on and become vested and continued in the Bank of Bengal, so continued and incorporated by this Act as aforesaid, and that the said Bank of Bengal so continued and incorporated as aforesaid shall be subject to all debts, demands, claims and liabilities outstanding against the said Bank at the time of such determination of its said Charter as aforesaid, and that no suit or proceeding at Law or

in Equity then pending shall cease or abate in consequence of such determination of the said present Charter, and of such renewal and continuance of the said Bank by virtue of this Act.

IV. And it is hereby enacted, that the said Bank so renewed and continued shall and may sue and be sued by its corporate name aforesaid, and shall and may have and use such common seal as the Directors of the said Bank shall from time to time appoint, and shall be competent to acquire and hold either absolutely or conditionally, for a term or in perpetuity, and description of property whatever and to transfer and convey the same.

V. And it is hereby enacted, that the Capital Stock of the said Bank as constituted under the said present Charter and Acts shall on the determination of the same by virtue of this Act continue to be the Capital Stock of the said Bank so renewed and continued as aforesaid, provided however that it shall be in the power of the Governor General of India in Council from time to time, by resolution notified in the *Calcutta Gazette*, to authorize the said Capital Stock to be increased and to make such order and direction for the opening of subscriptions towards such increase of capital as to him may seem fit, giving due notice thereof to the Proprietors of the said Bank for the time being, and allowing to them a period of not less than twelve months to fill up such subscription themselves, and likewise to prescribe in what manner and form the Proprietors shall subscribe and pay into the said Bank the proportions of new Stock to which they may respectively be entitled, and to make such order and direction as to him the said Governor General in Council may seem fit for the disposal of the amount of new Stock that may not be subscribed for and paid up in the manner and for so prescribed.

VI. And whereas the Capital Stock of the said Bank which by the said Act No. XIX. of 1836 was fixed at 75 lakhs of Rupees divided into 1,875 Shares of 4,000 Rupees each, has by the Resolution of the President of the Council of India in Council, issued and notified to the Proprietors on the 17th October 1838, in conformity with Act No. XXVI. of 1838 been ordered to be increased by one half, and whereas a book is now open for subscriptions and payment is now being made of such increased capital in the manner and under the terms and conditions authorized in the said Act No. XXIV. of 1838, and prescribed in the said order and notice of the President in Council. It is therefore hereby enacted, that the Capital Stock of the said Bank shall on the said 1st May next when this Act shall take effect for the re-in-corporation of the said Bank consist of the said sum of seventy five lakhs of Company's Rupees, together with such further amount as shall on that date have been subscribed and paid into the Bank of Bengal under the order and notice referred to, and the further subscriptions and payments of Capital authorized and ordered as above mentioned shall continue to be received in the manner provided in the said order and notice of the President in Council and shall be added to the Capital Stock of the Bank as received, accordingly as is prescribed in the said order pased under the authority of the said Act and the Capital Stock held by the Bank of Bengal on the said 1st May next, together with the further Capital that may be subscribed and paid up as above after that date shall be divided into shares of 4000 Rupees each, or into quarter shares of 1,000 Rupees each in the manner declared and provided by Act No. XIX. of 1836, and the shares of tha said Capital that may be then registered in the name of the Governor General of India in Council, shall be the property of the said Governor General of India in Council for the time being on behalf of the East India Company, together with any new shares for which subscription may be made on account thereof, under the option reserved to the said Governor General of India in Council to that effect in the said order and notice, and the shares and quarter shares registered as belonging to individual Proprietors shall continue to be the property of such Proprietors, and the said Proprietors shall respectively be in the proportion of their several interests Proprietors of the Bank of Bengal as re-incorporated by this Act, and shall hold and enjoy in respect to their several shares and interests the same precise rights and privileges, as regards the subscription to fresh Stock under the order and notice referred to, as they would have done if the Bank of Bengal had continued under the Charter and Acts notwithstanding.

VII. And it is hereby enacted, that no Proprietor shall be allowed to increase his share in the Capital Stock of the said Bank beyond the amount of one lakh and sixty thousand Rupees, excepting on occasion of any increase being made to the Capital Stock of the said Bank under the authority of the Governor General in Council in the manner prescribed in Section V. in which case any Propriety holding Stock to the full amount of one lakh and sixty thousand Rupees, shall notwithstanding be entitled to subscribe to the increased Capital Stock in a rateable proportion; and excepting any addition to his interest in the said Captial Stock arises from succession, bequest or marriage.

VIII. And it is hereby enacted, that a certificate signed by three Directors of the said Bank shall be delivered to the Proprietor or Proprietors of all the said shares of the Capital Stock of the said Bank upon demand made by the holder of such share, and that any person who is a Proprietor of more than one such share, may at his option demand a certificate for each of his shares, or one certificate for all his shares or several certificates, each of which may be for any number of his shares.

IX. And it is hereby enacted, that the said share or share of the Capital Stock of the said Bank shall be of the nature of personal estate of the Proprietors thereof respectively, and that the same shall be transferable by endorsement to be made on such certificates thereof respectively, under the hand of the Proprietor or Proprietors, or his, her, or their Attornies duly authorized, which endorsement shall specify the name of the person or persons to whom the said transfer shall be made, provided that no such endorsement shall be effectual to transfer any such share or shares until such endorsement shall have been registered at the Bank of Bengal, and such registration shall have been noted on such endorsement under the hand of an Officer appointed for that purpose by the Directors of the said Bank.

X. And it is hereby enacted, that the said corporate body, so renewed and continued as aforesaid shall consist and be composed of the registered Proprietors for the time being of the said shares of the Capital Stock of the said Bank, and of no other person or persons whatsoever.

XI. And it is hereby enacted, that the business of the said Bank shall be managed by nine Directors, of whom three shall be appointed and removable by the Governor General of India in Council, and the remaining six shall be elected by a General Meeting of the Proprietors of the said Bank and removable by vote of the majority of a General Meeting of the said Proprietors.

XII. And it is hereby enacted that the persons who, at the time of such determination of the said present Charter and Acts as aforesaid, shall be Directors of the said Bank, shall thereafter continue to be Directors of the said Bank so renewed and continued as aforesaid.

XIII. And it is hereby enacted, that two of the six Directors elected and to be elected by the said Proprietors shall in rotation go out of office on the second Monday in every year a General Meeting of Proprietors shall be held for the election of two Directors in their stead—provided always that any Directors going out by rotation as aforesaid may not be re-elected at the election which takes place thereupon—provided also that the rotation existing at the time of such determination as aforesaid of the said present Charter and Acts shall continue to be observed.

XIV. And it is hereby enacted, that in case of the death, resignation, or absence from Calcutta for more than three months, or removal as aforesaid of any Directors elected or to be elected by the said Proprietors, the Directors shall call a General Meeting of the Proprietors to be held within fifteen days for the purpose of chusing a successor, and such successor shall come into the same place in the rotation abovementioned in which the Director was.

XV. And it is hereby enacted, that no person shall be capable of serving as a Director by election of the said Proprietors who shall not be Proprietor in his own right, and unincumbered of three shares or 12,000 Rupees of the Capital Stock of the Bank of Bengal, or who shall be a Director of any other Bank issuing Notes payable on demand within the Town of Suburbs of Calcutta.

XVI. And it is hereby enacted, that at a General Meetings of the Proprietors every election and other matter in question shall be decided by a majority of votes, and that no person shall be allowed to vote at any such Meeting in respect of any share of the said Capital Stock acquired by transfer or purchase or otherwise than by act of law, unless such transfer shall have been completed six months at the least before the time of tendering such vote.

XVII. And it is hereby enacted, that at all such General Meetings the Proprietors shall vote accordtng to the following scale:

1	Share of 4,000	Rs.	shall entitle	to 1	vove.
5	,,	,,	,,	2	,,
10	,,	,,	,,	3	,,
15	,,	,,	,,	4	,,
20	,,	,,	,,	5	,,
30	,,	,,	,,	6	,,
40	,,	,,	,,	7	,,

and no Proprietor shall be entitled to more than seven votes.

XVIII. And it is hereby enacted, that it shall be lawful for the Governor General of India in Council to give a proxy in writing signed by one of the Secretaries to Government, to any person whom the Governor General may appoint to attend any General Meeting of the Proprietors, and that the holder of such proxy shall be entitled to give seven votes upon all matters or questions that may be submitted to such meeting excepting upon the election or removal of such Directors as are elected by the said Proprietors.

XIX. And it is hereby enacted, that any Proprietor or Proprietors entitled to vote at any General Meeting may give a proxy in writing, either General or Special, under his, her or their hand, or the hand of his, her or their attorney, duly authorized, to any other Proprietor, and that such proxy shall be produced at the time of voting, and that such proxy shall entitle the person to whom it is given to vote on such matters, as shall be authorized by the tenor of such proxy.

XX. And it is hereby enacted, that at the first Meeting of the Directors in every year they shall choose a President from among themselves and if the office of President shall become vacant they shall at their next Meeting choose a successor for the remainder of the current year and that during any vacancy or in the absence of the President the senior Directors shall be Vice-President for the time, and that such President or Vice-President shall have the casting vote in all cases of an equal division of votes at Meetings either of Directors or Proprietors.

XXI. And it is hereby enacted, that the presence of at least three Directors shall be necessary to form a board for the transaction of business, and the said Directors shall establish a weekly rotation among themselves, so that not less than three Directors, provided always, that nothing herein contained shall be held to preclude any Director from attending any Meeting of Directors.

XXII. And it is hereby enacted, that all accounts of the said Bank, and all instruments not under seal, whereby the said Bank can in any manner be bound, except the Cash Notes of the Bank shall be signed by three Directors and shall be of no validity unless so signed, and that the seal of the said Bank shall not be affixed to any instrument except in the presence of three Directors who shall sign their names in the instrument in token of their presence, and that signing shall be independent of the signing of any person who may sign the instrument as a witness, and that unless so signed by three Directors such instrument shall be of no validity.

XXIII. And it is hereby enacted, that the said Directors shall have power to appoint such Officers as may be necessary to conduct the business of the said Bank, and to remove any Officer of the said Bank, and to fix the salaries of such Officers, provided that the whole expence of the establishment of the said Bank shall not in any one year exceed 60,000 Rupees, without previous authority from the General Meeting of the Proprietors.

XXIV. And it is hereby enacted, that no person who shall hold the office of Secretary, Treasurer, Head Accountant or Khazanchee of the Bank of Bengal, shall engage in any other commercial business either on his own account, or as Agent for any other person or persons, or act as a broker for the sale or purchase of Government Securities; and that every person appointed to any one or more of the said offices shall give security to the Directors for the faithful discharge of his duty in the sum of 50,000 Rupees.

XXV. And it is hereby enacted that the said Bank of Bengal shall not be engaged in any kind of business except the kinds of business hereinafter specified, that is to say—

1. The Discounting of Negotiable Securities.
2. The keeping of Cash Accounts.
3. Buying and Selling of Bills of Exchange payable in India.
4. The lending of Money on short loans.
5. The Buying and Selling of Bullion.
6. The receiving of Deposits.
7. The issuing and circulating of Cash Notes and Bank Post Bills.
8. The selling of Property or Securities deposited in the Bank as security for loans and not redeemed, or of Property or Securities recovered by the Bank in satisfaction of debts and claims.

XXVI. And it is hereby enacted, that the Directors of the said Bank shall discount no Negotiable Security and make no loan unless the amount of cash in possession of the said Bank, and immediately available, shall be equal to at least one-fourth of all the claims against the said Bank, outstanding for the time being and payable on demand.

XXVII. And it is hereby enacted, that the Directors of the said Bank of Bengal shall not discount any Negotiable Securities which shall have a longer period to run than three months, or lend any money for a longer period than three months, and that they shall make no loan or advance on any Bank Share or Certificate of Shares, nor on mortgage, or in any other manner on the security of any Lands, Houses, or immoveable property, nor on any Negotiable Security of any individual or partnership firm, which shall not carry on it the several responsibities of at least two persons or firms unconnected with each other in general partnership, nor be in advance at one and the same time to any individual or partnership firm either by way of discount, loan, or in any other manner (saving by loans upon the deposit of Government Securities, or Goods not perishable as hereinafter mentioned) beyond the amount of three Lakhs of Company's Rupees. Provided always that advances upon Bills of Exchange accepted by the Government, or upon other Government Obligations shall not be considered as an advance within the meaning of this restriction.

XXVIII. And it is hereby enacted, that the Directors of the said Bank shall make no loan other than such loans as are described in the clause next preceeding except on desposit of Public Securities to the full amount of the loan, and which Public Securities shall be so endorsed as to put them at the absolute disposal of the said Bank of Bengal, or on deposit of Goods, not of a perishable nature, and of estimated value exceeding the amount of the loan by at least one-fourth.

XXIX. And it is hereby enacted, that the said Bank shall not be at any time in advance to the Government more than seven Lakhs and a half Company's Rupees, provided always that the holding of Government Securities or of Bills of Exchange drawn upon the Government, or of other Government Acceptances or Obligations derived to the said Bank from individuals and not overdue shall not be construed as being in advance to the Government within the meaning of this clause.

XXX. And it is hereby enacted, that the Directors of the said Bank of Bengal shall not suffer any person or persons, or body corporate, keeping cash with the said Bank of Bengal, to overdraw his, her or their account.

XXXI. And it is hereby enacted, that the said Bank of Bengal may issue Promissory Notes, payable either on demand or at a date not exceeding thirty days after sight, which Notes shall and may be signed on behalf of the said Bank by such person as the Directors of the said Bank may appoint or authorize in that behalf, provided always that the total amount of such Notes in circulation at any one time shall not exceed *two* Crores of Rupees, and provided also that no such Note shall be for a smaller amount than ten Rupees.

XXXII. And it is hereby enacted, that it shall not be lawful for the said Bank to make, to issue or negotiate any Note, Bill or other instrument containing any promise, undertaking or order for the payment of money elsewhere than within the limits of India.

XXXIII. And it is hereby enacted, that it shall be lawful for the Directors of the said Bank of Bengal to receive in deposit Goods not of a perishable kind, and to contract for the safe keeping of the same.

XXXIV. And it is hereby enacted, that the Directors of the said Bank shall cause the books of the said Bank to be balanced on the 30th day of June and the 31st of December in every year, and that a settlement of the balance on every such day, signed by a majority of the said Directors, shall be forthwith transmitted to one of the Secretaries to the Governor General of India in Council, and that the Governor General of India in Council shall at all times be entitled to require of the said Directors any information touching the affairs of the Bank, and the production of any documents of the said Bank, and that the said Directors shall comply with every such requisitions.

XXXV. And it is hereby enacted, that an account of the profits of the said Bank shall be taken half yearly on the 1st day of January and the 1st day of July in every year, and that a dividend thereof shall be made so soon thereafter as conveniently may be, and that the amount of such dividend shall be determined by the Directors of the said Bank on the ground of the actual profits made by the said Bank during the six months preceeding the day up to which such half yearly account shall be taken, provided that the said Directors, subject to the control and sanction of the Proprietors at their General Meetings, shall have power when they see fit to set apart from such profits a sum not exeeding five per cent. on the Capital Stock of the Bank as a reserve against contingencies.

XXXVI. And it is hereby enacted, that on the first Monday of the month of August in every year, a General Meeting of the Proprietors of the Capital Stock of the said Bank shall be held, at which the Directors of the said Bank shall submit to the said Proprietors a statement of affairs of the said Bank, made up to the preceding 30th of June, and such General Meeting shall be competent to pass resolutions, and frame rules and directions relative to the affairs and conduct of the said Bank which shall be binding on the Directors and Officers of the Bank, and on the Proprietors thereof, until rescinded a modified respectively by any subsequent Gen. Meeting.

XXXVII. And it is hereby enacted, that any three Directors of the said Diretors of the said Bank, or any ten Proprietors of the Capital Stock of the said Bank, may at any time convene a General Meeting of the Proprietors upon giving fifteen days previous notice of such Meeting and of the purpose or purposes for which the same shall be convened as well to the Directors of the said Bank for the time being, as also by public advertisement in the *Calcutta Gazette*

XXXVIII. And it is hereby enacted, that it shall be lawful for the Bank of Bengal, with the sanction of the Governor General of India in Council, to establishlish Branch Banks at such places, and under such rules and restrictions as shall be determined by the Proprietors at their General Meetings, provided however, that such Branch Banks when so established, besides being subject to the rules and restrictions that may be imposed by the Proprietors, and to the control and orders of the Directors of the Bank at Calcutta, shall be bound by the same rules as to the description of business in which they are to engage and the manner of conducting such business, and likewise in respect to the issue of notes payable on demand and the retention of each to meet the same, and in all transactions and matters herein above referred to, as are prescribed for the Bank of Bengal by this Act.

XXXIX. And it is further enacted, that if any of the said Proprietors shall become indebted to the said Bank it shall be lawful for the said Bank to withhold payment of the dividends on the share or shares of such Proprietor registered as his or her own property, and not as held in trust, or as executor, or administrator, until payment of such debt, and to apply such dividends towards payment thereof, and that after demand and default of payment and notice in that behalf given either to such Proprietor or his or her constituted Agent, or by publick advertisement in the *Calcutta Gazette*, it shall be lawful for the said Bank to refuse registration of the transfer of any such share or shares of such Proprietor, until payment of such debt, and if the same shall remain unpaid for the space of six months after such notice to advertise for public sale, and to sell such share, or shares or so many as may be necessary, and to apply the proceeds thereof towards payment of such debt with interest at the rate of six per cent. per annum, paying over the surplus, if any, to such proprietors or to his or her lawful representative.

XL. And it is further enacted, that the said Bank shall continue as hereby constituted until the 1st day of May, which will be in the Year of Our Lord 1846, and shall thereafter continue in like manner until duly dissolved or modified, provided however, that after the said 1st day of May 1846, the said Bank shall not, except upon the application or by the consent of the said Bank be dissolved, or anywise modified without previous notice of twelve months at the least being given to the Directors of the said Bank for time being of such intended dissolution or modification, provided also that in the event of the said Bank at any time suspending any cash payments the benefits granted to the said Bank by the present Act of incorporation shall be thenceforth forfeited.

Ordered that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 12th day of March next.

THE 28TH JANUARY, 1839.

Whereas it has been ordered by the Hon'ble Court of Directors of the East India Companys that an Act shall be prepared for incorporating a Bank at Bombay, on the same principles and in the same form and manner as have been approved and sanctioned by the said Court for the re-incorporation of the Bank already established at Calcutta, and called the Bank of Bengal, with a difference only in the amount of Capital Stock to be subscribed for and paid by the Government and by the Proprietors respectively; and whereas it is further ordered and declared by the said Court of Directors, that when the provisions of the said Act shall have been adopted by the Proprietors to be incorporated thereby, and on condition that the amount of Capital be duly paid up, the Government of India is empowered and required without further reference to the said Court to carry the said Act into effect for incorporation of the said Bank at Bombay.

Resolved that the following Draft of a proposed Act be published for general information.

ACT No —— OF 1839. B.

I. It is hereby enacted that from the 1st May next ensuing in the year of our Lord 1839, provided that before that date a sufficient number of persons shall have subscribed and signed their acceptance of the terms of incorporation specified and declared by this Act, and provided that the amount of Capital Stock subscribed by them respectively and to be subscribed by the Government of Bombay on behalf of the East India Company, shall have been paid up or such proportion thereof shall have been realized as is hereinafter prescribed—the persons so subscribing accepting and paying up their subscriptions shall together with the Governor in Council for the time being of the Island and Presidency of Bombay be a corporation body corporate and politic by name of the Bank of Bombay, with perpetual succession to them and their successors as Proprietors for the time being of the said Bank as hereinafter mentioned and provided and shall possess and enjoy all the rights privileges and immunities incident by Law to a corporation aggregate—and if the conditions above stated be not fulfilled and completed on the said 1st may next ensuing after the date of the passing of this Act, then it shall be lawful for the Governor in Council of the Presidency of Bombay, so soon as it shall be certified to him that a sufficient number of persons have subscribed and signed their acceptance of terms and conditions hereinunder prescribed and that the proportion of the Capital Stock required is paid up and realized to notify the same by public notice in the *Bombay Gazetete*, and the said persons so subscribing and paying as above together with the Governor in Council shall from the date of such notification be incorporated and be a body corporate as above described and the several provisions of this Act shall from the said 1st May, or from such date of incorporation as may be notified take full effect and in force for the establishment of the said Bank of Bombay.

II. And it is hereby enacted that the Capital Stock of the said Bank of Bombay shall be Fifty Lakhs of Rupees whereof the Governor in Council of Bombay for the time being shall on behalf of the East India Company be Proprietor of three lakhs of Rupees, provided however that it shall be in the power of the Governor General of India in Council from time to time by an order duly published in the Gazettes of Calcutta and of Bombay to authorize the said Capital Stock to be increased and to make such order and direction for the opening of subscriptions towards such increase of Capital as to him may seem fit, giving due notice thereof to the Proprietors of the said Bank for the time being and allowing to them a period of not less than twelve months to fill up such subscription themselves and likewise to prescribe and pay into the said Bank the proportion of new Stock to which they may respectively be entitled and also to make such order and direction as to him the said Governor General in Council may seem fit for the disposal of the amount of new Stock that may not be subscribed for and paid up by the Proprietors in the manner and form that may be so prescribed.

III. And it is hereby enacted, that the Capital Stock of the Bank of Bombay shall so long as it shall consist of fifty lakhs of Rupees be divided into 1250 shares of 4000 Rupees each, which shall be numbered from 1 to 1250, and seventy five of the said shares numbered from No. 1 to 75 shall be the property of the Governor in Council of Bombay, and the remainder numbered from No. 76 to 1250 shall be the property of the Proprietors who may subscribe and pay the same, and each of the said shares may be divided into quarter shares of 1000 Rupees each, but no separate interest or share in the Stock of the said Bank of less amount than 1000 Rupees shall be created or held by any Proprietor, and if at any time the Capital of the said Bank shall be increased the new Stock added thereto shall in like manner be divided into shares of 4000 Rupees each, devisible into quarter shares of 1000 Rupees, and no Proprietor shall be entitled to claim a share of such new Stock of less amount than one thousand Rupees.

IV. And it is hereby enacted, that for taking the subscriptions of intending Proprietors of the said Bank of Bombay a day shall be fixed and notified to the public by the Governor in Council of Bombay being, not less than 20 days before the 1st of May 1839, whereon the privilege of subscribing for the Stock of the said Bank shall be publicly sold by an Officer of the Government of Bombay in the manner following.

First.—The amount of 17 lakhs of Rupees which is the proportion of the Capital Stock to be subscribed for by Proprietors being divided into 1175 lots corresponding with 1175 shares of the Stock of the said Bank each of 4000 Rupees, and being numbered from 76 to 1250 as above ordered shall be put up in successive lots to be bid for at a public auction by all persons desirous of taking the same, and the privilege of subscribing for each of the said shares shall be given to the highest bidder for the same, provided that he shall forthwith pay to the Officer conducting the sale the amounts so bid by him, and provided he shall sign in the presence of the said Officer an acknowledgement of his acceptance of the terms and conditions prescribed by this Act for the incorporation of the said Bank, and likewise an engagement binding himself to pay up the praportions of capital due on such share on or before the dates, and in the manner hereinunder prescribed, and to perform the other obligations and conditions of his purchase.

Second.—When a purchaser shall have paid the amount bid by him as a consideration for privilege of subscribing for any share or shares he shall receive for each share so purchased a certificate in the form following, which certificate shall entitle the said purchaser, or the person or persons to whom he may by endorsement assign the same to subscribe and pay the amount of Capital therein stated on the dates mentioned, and to become by reason of such subscription and payment a Proprietor and shareholder of the Bank of Bombay when it shall be incorporated under this Act.

Form of Certificate of Purchase.

Certified that A. B. purchaser of Lot No——at the public sale held——at Bombay on this day——is entitled to subscribe for the sum of four thousand Rupees of the Capital Stock of the Bank of Bombay, to be incorporated under Act No. ——of this year, and to become a Proprietor and Shareholder of the said Bank on the following terms and conditions.

The said amount of Stock must be paid to the person who may be appointed Secretary and Treasurer of the said Bank on the following dates: 1000 Rupees on or before the 1st May 1839—1000 Rupees on or before the 1st June 1839—1000 Rupees on or before the 1st July 1839, and the last 1000 Rupees on or before the 1st August 1839—and each payment as made shall be certified and

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inscribed on this certificate with the receipt of the said Secretary of the Bank of Bombay; provided however that in the event of non-payment of any one of the said amounts on or before the date stated the right to subscribe for the share No.——of the Stock of the said Bank represented by this certificate shall be forfeited, together with any premium or purchase money paid for the same, and the privilege shall be resold in such manner, and on such date as may be ordered by the Governor in Council of Bombay. The purchaser at such resale after making good the amount of any Capital that may have been paid into the Secretary of the Bank of Bombay up to the date of resale, for refund to the original holder shall be entitled to subscribe and to become Proprietor in his room of the Capital Stock represented by this certificate.

(Signed) C. D. *Accountant General.*

(*According to the Office held by the person making the Sale.*)

Third. The purchaser of any one lot at the sale held in the manner and form above described shall be entitled to claim and take nine other lots at the same prize, provided that the total number purchased by him shall not exceed forty lots, that being the limit fixed by this Act of the quantity of Stock that may be held by one and the same person.

V. And it is hereby enacted, that upon the said 1st May 1839, if one-fourth of the Capital Stock of fifty Lakhs be then paid up, or so soon thereafter as it shall be notified as above provided, that the sum of twelve Lakhs and fifty thousand Rupees, being one-fourth of the Capital Stock of the Bank has been realized, the Bank of Bombay being incorporated as above provided shall be opened for the transaction of all manner of business authorized by this Act, and the said Bank shall and may sue and be sued by its corporate name, and shall and may use such common seal as the Directors of the said Bank shall from time to time appoint and shall be competent to acquire and hold either absolutely or conditionally, for a term, or in perpetuity, and description of property whatever, and to transfer and convey the same.

VI. And it is hereby enacted, that after payment shall have been made of the entire sum of 4,000 Rupees on account of any share the certificate of the Officer of the Government of Bombay, given to the purchaser of the right to subscribe for such share in the manner provided in Section IV. of this Act shall be cancelled, and a certificate signed by three Directors of the Bank of Bombay shall be delivered to the Proprietor of such share, and the same shall be divisible as above provided into four quarter shares, and any person who is a Proprietor of more than one such share of the Capital Stock upon which the whole amount has been paid up may at his option demand a certificate for each of his shares or quarter shares or one certificate for all his shares on several certificates, each of which may be for any number of his shares or quarter shares.

VII. And it is hereby enacted, that the said share or shares of the Capital Stock of the said Bank shall be of the nature of personal estate of the Proprietors thereof respectively and that the same shall be transferable by endorsement to be made on the certificate thereof respectively under the hand of the Proprietor or Proprietors, or his, her or their Attorney duly authorized, which endorsement shall specify the name of the person or persons to whom the said transfer shall be made, provided that no such endorsement shall be effectual to transfer any such share or shares until such endorsement shall have been registered at the Bank of Bombay, and such registration shall have been noted on such endorsement under the hand of an Officer appointed for that purpose by the Directors of the said Bank.

VIII. And it is hereby enacted, that the said corporate body of the Bank of Bombay, shall consist and be composed of the registered Proprietors for the time being of the said shares of the Capital Stock of the said Bank, and of no other person or persons whatsoever.

IX. And it is hereby enacted, that the business of the said Bank shall be managed by nine Directors, of whom three shall be appointed and removeable by the Governor in Council of Bombay, and the remaining six shall be elected by a General Meeting of the Proprietors of the said Bank, and removeable by vote of the majority of a General Meeting of the said Proprietors.

X. And it is hereby enacted, that the first Directors of the said Bank of Bombay shall be such three persons as may be appointed by the Governor in Council of Bombay to be Directors of the Bank together with six persons being purchasers of the privilege of subscribing for shares in the Bank of Bombay who shall be elected by the purchasers on some date subsequent to the day of the sale ordered in Section IV of this Act, and prior to the 1st of may 1839, and the election shall be made by the said purchasers as if they were Proprietors to all intents and purposes of she shares for which they are entitled to subscribe, and they shall vote according to the number of shares to which they are entitled in like manner as if they were Proprietors of the said share. And the Directors so appointed shall appoint Officers and take all necessary steps for opening the Bank when this Act shall take effect for its incorporation, and the rotation amongst the six Directors first appointed under the next preceding Section, shall be established according to the number of votes; the two Directors elected by the fewest votes first vacating, and the next two in the year following, and so in succession in the third year.

XI. And it is hereby enacted, that two of the six Directors elected by the said purchasers, and to be elected by the Proprietors, shall in rotation go out of office on the second Monday in the month of December in every year, on which day in every year a General Meeting of Proprietors shall be held for the election of two Directors in their stead, provided always that any Directors going out by rotation as aforesaid may not be re-elected at the election which takes place thereupon.

XII And it is hereby enacted, that in case of the death, resignation or absence from Bombay for more than three months, or removal as foresaid of any Directors elected by the said purchasers, or to be elected by the Proprietors after the incorporation of the Bank of Bombay, the Directors shall call a General Meeting of the Proprietors to be held within fifteen days for the purpose of choosing a successor, and such successor shall come into the same place in the rotation abovementioned in which the Director was.

XIII. And it is hereby enacted, that no person shall be capable of serving as a Director by election of the said purchasers or of the Proprietors who shall not be Proprietor in his own right, and unincumbered of three shares or 12,000 Rupees of the Capital Stock of the Bank of Bombay, or who shall be a Director of any other Bank issuing Notes payable on demand within the Town o Suburbs of Bombay.

XIV. And it is hereby enacted, that at General Meetings of the Proprietors every election and other matter in question shall be decided by a majority of votes, and that no person shall be allowed to vote at any such Meeting in respect of any share of the said Capital Stock acquired by transfer or purchase, or otherwise than by act of law unless such transfer shall have been completed six months at the least before the time of tendering such vote.

XV. And it is hereby enacted, that at all such General Meetings the Proprietors shall vote according to the following scale:

1 Share of 4000 Rs. shall entitle to	1	vote.					
5	....	„	....	„	.....	„	....	2..	„
10	....	„	....	„	.....	„	....	3..	„
15	....	„	....	„	.....	„	....	4..	„
20	....	„	....	„	.....	„	....	5..	„
30	....	„	....	„	.....	„	....	6...	„
40	....	„	....	„	.....	„	....	7...	„

and no Proprietors shall be entitled to more than seven votes.

XVI. And it is hereby enacted, that it shall be lawful for the Governor in Council of Bombay to give a proxy in writing, signed by one of the Secretaries to Government, to any person whom the Governor of Bombay may appoint to attend any General Meeting of the Proprietors, and that the holder of such proxy shall be entitled to give seven votes upon all matters or question that may be submitted to such Meeting excepting upon the election or removal of such Directors as are elected by the said Proprietors.

XVII. And it is hereby enacted, that any Proprietor or Proprietors entitled to vote at any General Meeting may give a proxy in writing either general or special, under his, her or their hand, or the hand of his, her or their Attorney, duly authorized, to any other Proprietor, and that such proxy shall be produced at the time of voting, and that such proxy shall entitle the person to whom it is given to vote on such matter only as shall be authorized by the tenor of such proxy.

XVIII. And it is hereby enacted, that at the first Meeting of the Directors in every year they shall choose a President from among themselves, and if the office of President shall became vacant they shall at their next Meeting choose a successor for the remainder of the current year, and that during any vacancy, or in the absence of the President, the Senior Director shall be Vice President for the time, and that such President shall have the casting vote in all cases of an equal division of votes at Meetings either of Directors or Proprietors.

XIX. And it it is hereby enacted, that the presence of at least three Directors shall be necessary to form a board for the transaction of business, and the said Directors shall establish a weekly rotation among themselves so that not less than three Directors may attend every Meeting of Directors, provided always that nothing therein contained shall be held to preclude any Director from attending any Meeting of Directors.

XX. And it is hereby enacted, that all accounts of the said Bank, and all instruments not under seal, whereby the said Bank can in any manner be bound, except the Cash Notes of the Bank, shall be signed by three Directors and shall be of no validity unless so signed, and that the seal of the said Bank shall not be affixed to any instrument except in the presence of three Directors, who shall sign their names on the instrument in token of their presence, and that such signing shall be independent of the signing of every person who may sign the instrument as a witness, and that unless so signed by three Directors such instruments shall be of no validity.

XXI. And it is hereby enacted, that the said Directors shall have power to appoint such Officers as may be necessary to conduct the business of the said Bank, and to remove any Officer of the said Bank, and to fix the salaries of such Officers provided that the whole expense of the establishment of the said Bank shall not in any one year exceed 60,000 Rupees, without previous authority from the General Meeting of the Proprietors.

XXII. And it is hereby enacted, that no person who shall hold the Office of Secretary, Treasurer, Head Accountant or Khazinchee of the Bank of Bombay, shall engage in any other commercial business either on his own account, or as agent for any other person or persons, or act as a broker for the sale or purchase of Government Securities, and that every person appointed to any one or more of the said Offices shall give security to the Directors for the faithful discharge of his duty in the sum of 50,000 Rupees.

XXIII. And it is hereby enacted, that the said Bank of Bombay shall not be engaged in any kind of business except the kind of business hereinafter specified, that is to say—

1. The discounting of Negotable Securities.
2. The keeping of Cash Accounts.
3. Buying and Selling of Bills of Exchange payable in India.
4. The lending of Money on short loans.
5. The buying and selling of Bullion.
6. The receiving of Deposits.
7. The issuing and circulating of Cash Notes and Bank Post Bills.
8. The selling of Property or Securities deposited in the Bank as security for loans and not redeemed, or of Property or Securities recovered by the Bank in satisfaction of debts and claims.

XXIV. And it is hereby enacted, that the Directors of the said Bank shall discount no Negotiable Security and make no loan unless the amount of cash in possession of the said Bank, and immediately available, shall be equal to at least one fourth of all the claims against the said Bank outstanding for the time being and payable on demand.

XXV. And it is hereby enacted, that the Directors of the said Bank of Bombay shall not discount any Negotiable Securities which shall have a longer period to run than three months, or lend any money for a longer period than three months, and that they shall make no loan or advance of any Bank share or certificate of shares, nor on mortgage, or in any other manner on the security of any Lands, Houses, or immoveable property, nor on any Negotiable Security, of any individual or partnership firm, which shall not carry on it the several responsibilities of at least two persons or firms unconnected with each other in general partnership, nor be in advance at one and the same time to any individual or partnership firm either by way of discount, loan, or in any other manner (saving by loans upon the deposit of Government Securities or Goods not perishable as hereinafter mentioned) beyond the amount of three lakhs of Co.'s Rupees. Provided always, that the advances upon Bills of Exchange accepted by the Government, or upon other Government Obligations, shall not be considered as an advance within the meaning of this restriction.

XXVI. And it is hereby enacted, that the Directors of the said Bank shall make no loan other than such loans as are described in the clause next preceding, except on deposit of Public Securities to the full amount of the loan, and which Public Securities shall be so endorsed as to put them at the absolute disposal of the said Bank of Bombay, or on deposit of Goods not of a perishable nature, and of estimated value exceeding the amount of the loan by at least one fourth,

XXVII. And it is hereby enacted, that the said Bank shall not be at any time in advance to the Government more than seven lakhs and a half of Company's Rupees, provided always that the holding of Government Securities or of Bills of Exchange drawn upon the Government or of other Government Accordance or Obligations derived to the said Bank from individuals and not over due, shall not be construed as being in advance to the Government within the meaning of this Clause.

XXVIII. And it is hereby enacted, that the Directors of the said Bank of Bombay shall not suffer any person or persons, or body corporate keeping cash with the said Bank of Bombay, to overdraw his, her or their account.

XXIX. And it is hereby enacted, that the said Bank of Bombay may issue promissory notes payable either on demand or at a date not exceeding thirty days after sight, which notes shall and may be signed on behalf of the said Bank by such person as the Directors of the said Bank may appoint or authorize in that behalf, provided always that the total amount of such notes in circulation at any one time shall not exceed two crores of Rupees, and provided also that no such note shall be for a smaller amount than ten Rupees.

XXX. And it is hereby enacted that it shall not be lawful for the said Bank to make, issue or negociate any note, bill or other instrument containing any promise, undertaking or order for the payment of money elsewhere than within the limits of Bombay.

XXXI. And it is hereby enacted, that it shall be lawful for the Directors of the said Bank of Bomby to receive in deposit goods not of a perishable kind and to contract for the safe keeping of the same.

XXXII. And it is hereby enacted, that the Directors of the said Bank shall cause the books of the said Bank to be balanced on the 30th day of June and the 31st of December in every year, and that a settlement of the balance on every such day, signed by a majority of the said Directors, shall be forthwith transmitted to one of the Secretaries to the Governor in Council of Bombay, and that the Governor in Council of Bombay shall at all times be entitled to require of the said Directors any information touching the affairs of the said Bank and the production of any documents of the said Bank and that the said Directors shall comply with every such requisition.

XXXIII. And it is hereby enacted, that an account of the profits of the said Bank shall be taken half yearly on the 1st day of January and the 1st day of July in every year, and that a dividend thereof shall be made so soon thereafter as conveniently may be, and that the amount of such dividend shall be determined by the Directors of the said Bank on the ground of the actual profits made by the said Bank during the six calender months preceeding the day up to which such half yearly account shall be taken, provided that the said Directors, subject to the control and sanction of the Proprietors at their General Meeting Meetings, shall have power when they see fit to set apart from such profits a sum not exceeding five per cent, on the Capital Stock of the Bank as a reserve against contingencies.

XXXIV. And it is hereby enacted, that on the 1st Monday of the month of August in every year, a General Meeting of the Proprietors of the Capital Stock of the said Bank shall be held, at which the Directors of the said Bank shall submit to the said Proprietors a statement of the affairs of the said Bank, made up to the preceding 30th of June, and such General Meeting shall be competent to pass resolutions, and frame rules and directions relative to the affairs and conduct of the said Bank which shall be binding on the Directors and Officers of the Bank, and on the Proprietors thereof, until rescinded or modified respectively by any subsequent General Meeting.

XXXV. And it is hereby enacted, that any three Directors of the said Directors of the said Bank, or any ten Proprietors of the Capital Stock of the said Bank, may at any time convene a General Meeting of the Proprietors upon giving fifteen days previous notice of such meeting, and of the purpose or purposes for which the same shall be convened, as well to the Directors of the said Bank for the time being as also by public advertisement in the *Government Gazette*.

XXXVI. And it is hereby enacted, that it shall be lawful for the Bank of Bombay, with the sanction of the Governor in Council of Bombay, to establish Branch Banks at such places, and under such rules and restrictions as shall be determined by the Proprietors at their General Meetings; provided however that such Branch Banks when so established, besides being subject to the rules and restrictions that may be imposed by the Proprietors, and to the control and orders of the Directors; the Bank at Bombay, shall be bound by the same rules as to the description of business in which they are to engage and the manner of conducting such business, and likewise in respect to the issue of notes payable on demand, and the retention of the cash to meet the same, and in all transactions and matters herein above referred to as are prescribed for the Bank of the Bombay by this Act.

XXXVII. And it is further enacted, that if any of the said Proprietors shall become indebted to the said Bank, it shall be lawful for the said Bank to withhold payment of the dividends, or the share or shares of such Proprietors registered as his or her own property, and not held in trust, or as executor or administrator, until payment of such debt, and to apply such dividends towards payment thereof, and that after demand and default of payment and notice in that behalf given either to such Proprietors, or his or her constituted agent, or by public advertisement in the *Government Gazette*, it shall be lawful for the said Bank to refuse registration of the transfer of any such share or shares of such Proprietor until payment of such debt, and if the same shall remain unpaid for the space of six months after such notice to advertise for public sale and to sell such share or shares for so many as be necessary, and to apply the proceeds there of towards payment of such debt without interest at the rate of six per cent. per annum, paying over the surplus if any, to such Proprietor, or his or her lawful representative.

XXXVIII. And it is further enacted that the said Bank shall continue as hereby constituted until the 1st day of May, which will be in the year of our lord 1846, and shall thereafter continue in like manner until duly disolved or modified; provided however that after the said 1st day of May 1846, the said Bank shall not except upon the application or by the consent of the said Bank dissolved, or any-wise modified without previous notice of twelve months at the least being given to the Directors of the said Bank for the time being of such intended dissolution of modification. Provided also, that in the event of the said Bank at any time suspending any cash payments the benefits granted to the said Bank by the present Act of incorporation shall be thenceforth forfeited.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 12th day of March next.

BANK MEETING.

At a Meeting of the Proprietors of the Bank of Bombay held pursuant to notice on the 9th February, in the late office of Messrs. Dirom, Carter and Co. It was proposed by Mr. Richmond and seconded by Mr. Smith, that John Skinner, Esq. do take the Chair, which was unanimously carried.

The following Report by the Committee was then read.

REPORT.—The last time the Committee had the pleasure of meeting their constituents, they had the gratification of announcing that the object of their labour had been obtained, that the violent private and party opposition had been overcome; and that a charter similar in all respects to that granted to the Sister Presidency of Bengal had been conferred on the Bank of Bombay—They announced also the formal tender of the Charter by the Government of Bombay in the name of the Honorable Court of Directors, and of their acceptance on your part of the same—They entered into communication with parties for the hire of premises, they were in correspondence with Government for a piece of ground for the erection of a suitable building. They had addressed the Bank of Bengal on the subject of reciprocating advantages. Your accountants had arrived from England, and the materials for the commencement of business were daily expected, when to the astonishment of the Committee, as well as of the whole community, the letter signed by Mr. Secretary Prinsep, which is too well known to require further notice, was received. That letter intimates, as you are no doubt aware, that the President in Council had resolved on a measure tantamount to a confiscation of the Charter granted to you, and that your vested rights in the Bank are to be sold by public auction in the highest bidder on the 10th of April next.

Your committee deplore this threatened issue of all their labors, not so much on account of the loss and embarrassment it must cause to you, as for the blow it strikes at all improvements in this flourishing Presidency arising out of the enterprize of individuals or by public associations. The welfare of this important section of India will thus undoubtedly be checked; and the Government can never again with safety pledge their faith for the fulfilment of any measure; Or if offered can it be relied on? for honorable as the Government of Bombay has ever been and forward as it is to foster any effort to deselope the resources of the country, this instance of aggression on private rights must render future efforts of the kind abortive.

Your committee have yet reason to hope however that the intentions of the President in Council may be stayed. That hope is grounded on the confidence they have on the judgement, and impartiality of the Governor General to whom they have in strong terms appealed, on behalf of your rights; and on the independent position of Mr. Amos the leading member of the Legislative Council, by which the proposed act must be approved, before it can become law, and hence though the reference by the President in Council to the Legislative Council would appear to be little more than nominal, in consequence of nearly the same persons being members of both Councils, yet your Committee rely much on the unfettered opinion and legal knowledge of Mr. Amos, and they will not relinquish the confident expectation they entertain, that the justice of your cause will eventually carry you through every opposition.

Your Committee have called on Lord Auckland himself to decide upon their case in virtue of the powers vested in him—and, they have deprecated further delay as scarcely less injurious than a concurrence with the President in Council. Your Committee have also addressed an energetic remonstrance to the Government of this Presidency to be forwarded to the President and Legislative Council, and they are preparing to adopt other measures to vindicate your rights, in the event of those already adopted, not being immediately attended with the result you are entitled to anticipate.

Your Committee refrain on this occasion from entering minutely into the merits of Mr. Prinsep's letter, as that has been done in the appeal, and remonstrance above adverted to, but there is one part of that letter to which your Committee would attract particular attention.

The President in Council tells us that it is not his attention to pass an act against the establishment of a Joint Stock Bank without a Charter; but on the contrary, that he would approve of such announcement that no person in the Company's Service can hold shares in it.

On this remarkable suggestion your committee would only observe, that after the proposed forfeiture of the present Charter these can be no security against the passing of a prohibitory act; and that even if nothing should occur to induce the Government at Calcutta to change their present intention in this respect, there would be no guarantee against a succeeding Council doing so. But at the same time had his Honor in Council been well acquainted with this community in all its parts, he would have been aware that unless the Proprietary was open to the servants of the Company, no extensive and useful Bank could exist; and that therefore, the permission united with the prohibition, was in fact a mockery.

That the President in Council should think it expedient to enforce what he states as the Law against the Company's Servants on the Bombay establishment cannot but appear to this meeting as strongly contested with the fact that Agra bank (which has no charter) is chiefly supported by Company's Servants in all its branches with the full cognizance of the President in Council; a must be apparent by the public announcement in the newspapers of the election of the Directors, who chiefly are Gentlemen high in rank in the Civil and Military Services. Your Committee have reason to know likewise, that many Company's Servants hold shares in the Union Bank of Calcutta, which, is also without a Charter.

Your Committee will now read to the Meeting their proceedings since the last General Meeting which they trust will meet with your approval, and in concluding, they beg to assure their constituents that under their instructions and support, they will spare no effort to avert the loss they are threatened with, and to secure to the public the benefits of the Bank as originally contemplated.

(Signed) G. ASHBURNER.

By order of the Committee.

Proposed by W. Edmond, Esq. seconded by Colonel Griffith, and carried unanimously.

This Meeting having heard read to them the several letters addressed by their Committee to the Bombay Government, unanimously concur in all the Committee have therein expressed and highly approve of all their proceedings consequent on the decision of the President in Council of the Government of Bengal relative to the rights to the Charter procured solely by their exertions for the Bank of Bombay.

Proposed by T. Richmond, Esq. seconded by James Patch. Esq. and carried unanimously.

That with reference to the very material differences existing in the Draft Act of the Bank of Bombay accompanying Mr. Prinsep's letter of the 16th ultimo, as compared with the Charter of the Bank of Bengal forwarded direct to this Presidency for approval by the Court of Directors, that the same are calculated to lessen the benefits intended to be conferred on Bombay, by the highest authorities connected with the Government of India—and are therefore a manifest violation of rights, and are calculated unnecessarily to restrict the operations of Banking at this Presidency.

Proposed by Colonel Bagnold seconded by J. G. Firth, Esq. and carried unanimously.

That the committee be requested to bring the alterations of the Bombay Charter to the notice of the Legislative Council through the Bombay Government, with a view to secure its amendment in strict accordance with the terms sanctioned, and directed by the home authorities, and accepted by the General Meeting of the Proprietors held on the 13th December.

Proposed by Captain Holland, seconded by Colonel Bagnold, and carried unanimously. That the best thanks of the Meeting be given to Mr. Skinner for his conduct in the Chair.

(Signed) SKINNER. *Chairman.*

To the Right Honorable LORD AUCKLAND,

Governor General of India, &c. &c. &c.

My Lord—We hasten to appeal to your Lordship against an act of the Bengal Govenment, which is calculated to inflict a most serious injury upon us and others situated like ourselves. In taking this course we are aware we approach your Lordship under disadvantageous circumstances. We are aware Your Lordship has many claims on your attention, and that considerable reluctance must exist on your Lordship's part to interfere with the proceedings of the Government of Calcutta. But on a question like the present, involving the interests of a very large body, compromising an important principle, and as we would respectfully contend, violating the common principle, of justice, we do trust we shall not be deemed importunate in urging the propriety of your Lordship's interference on our behalf to the utmost extent of the power with which your Lordship is constitutionally intrusted.

The Body we represent was formed more than two years since, for the purpose of introducing an improved system of Banking into Bombay. At the commencement of our undertaking we had serious difficulties to contend with. An opposition, composed of many of the leading Capitalists of the place, exerted itself in every possible way to ob-

struct our proceedings. The soundness of our plans, however, secured us the support of the Local Government and a Charter was conferred upon us, subject to the approval of the Home authorities. To secure their sanction to it, an Agent was sent to England, and large funds were remitted at the same time to pay his expenses, and procure an establishment for the Bank, in the event of its meeting with the success anticipated.

After a most harrassing delay of nearly two years, a Charter was sanctioned upon certain terms; and our Agent, upon the strength of this circumstance, communicated to him by the authorities both at the India House and Board of Control, executed the command intrusted to him, and forwarded an establishment and the apparatus necessary for the formation of a Bank.

The terms of the Resolution of the Home Government were, at the same time, forwarded to the Bombay Government, at the express request of our agent, for the purpose of avoiding the delay which he pointed out as likely to arise in the event of the order for incorporating the Bank being sent in the first place to Bengal and by the Bombay Government, in accordance with the obvious instructions of the Court: these terms were submitted for approval to the applicants for a charter in Bombay, by whom they were unconditionally accepted.

But in direct opposition to all this, the Calcutta Government have decided upon putting up the whole of the Shares in the new Bank to auction, and thus placing those who have most strenously opposed the institution, upon a perfect equality with the strongest supporters, a privilege they are fully prepared to make use of.

It would seem indeed that the preparation of a plan, the supply of fund for its support, and the constant prosecution of it for years, thro' adverse circumstances, are all to pass for nothing, and as soon as the plan succeeds, and there is a prospect of its becoming advantegeous that its supporters are to be set aside, while others, who stood aloof, and even its adversaries, are to derive all the benefit of their previous exertions.

We do not now question the legality of this proceeding, nor will we stop to enquire whether the law confers upon us rights which are capable of being maintained, we simply ask is it just—is it liberal is to even politic on the part of Government to treat us in the manner proposed. Will any body of men hereafter undertake any enterprise in India, if Government exercise its power to deprive them, at the eleventh hour, of all the advantages which the prospects of success may promise? Your Lordship is no doubt aware that all associations of individuals for monied institutions, must, of necessity originate amongst a few at first—that they are then brought forward, supported and subscribed for by the public, and the privileges of a Charter can only be sought when all this has taken place. We need not, we trust, therefore, point out that Charters, when granted under such circumstances, are not considered liable to be sold by public auction, however valuable they may be; but that they are invariably considered the property of those who originally applied for them—why then, we respectfully submit, should we be made a solitary exception to the general practice. We sought for no monopoly, we simply asked for an Act of Incorporation, and in granting our request with certain modifications, such as the junction of the East India Company, the Government at Home have surely done nothing to warrant our supercession in the manner contemplated by the Calcutta Government.

Your Lordship will see by the accompanying correspondence, that directions have been forwarded to the Supreme Government to grant an Act of Incorporation, in consequence of an application from Bombay. The wording of the Court's letter, unconnected with other circumstances, may be considered as somewhat vague, but nothing is contained in it to give the slighest foundation for the plan of putting up our Shares, in the proposed bank, to public competition, and the obvious conclusion is, therefore, that the charter was intended for the applicants and no one else. Our Agent, moreover, was given to understand in the clearest possible manner, by the authorities at home, that the wishes of his Constituents had been complied with. This intimation was made with the view of enabling him to proceed with the arrangements it was necessary to make for the Bank in England, and so perfect was the understanding that the charter was to be granted to his constituents, that it was even proposed by the Secretary of the Court of Directors, that he should enter at once into the same arrangements for procuring supplies through the Court that were made by the Bank of Bengal. If there had been the slightest intention of giving the Charter, as proposed in Bengal, to a body not then formed, no such proposition, of course, would have been made.

Under these circumtances, a property was virtually created in Bombay shares in the Bank rose to a premum were bequeathed—included in Marriage settlements, and have been extensively sold. To intertere, therefore, at this last stage of the proceeding, and to deprive the supporters of the Bank of all the advantages they hope to derive from their position, from the expenses they have incurred, and the risk those expenses involved, and more serious still, from the patient manner in which they have waited for the decision of the home Government, while many had large sums lying idle in anticipation of demands from the Bank, is to call for sacrifices of such a nature and to such an extent as to justify us in characterising the proceeding as an act little short of spoliation, and which we cannot but deprecate as calculated to destroy all confidence on the part of individuals disposed to embark in speculations for the benefit of themselves and the country.

It is under these circumstances, and with feelings excited in no ordinary degree by a deep sense of injustice, that we are induced to trouble your Lordship for redress, on the present occasion.

We have already submitted to the delay attending one appeal home, involving, as it did, a period of two years; and we have only therefore to entreat your Lordship not to subject us to the hardship of another; but to dispose of our case at once by means of the paramounts powers with which your Lordship is invested.

We have the honor to be, My Lord,
Your Lordship's most obedt. Servants.
(Signed) DAVID GREENHILL,
" H. G. GORDON,
" JAMES WRIGHT,
" GEORGE MORE,
" W. R. MORRIS,
" E. C. MORGAN.
" F. M. DAVIDSON.
" CHARLES WADDINGTON,
" FRAMJEE COWASJEE,
" DADABHOY PESTONJEE.

Bombay, 6th *Feb.* 1839.

To L. R. REID, Esq.
Chief Secretary to Government.

SIR—We have the honor to acknowledge the receipt of your letter of the 31st ult'mo, to our Secretary, with the accompanying copy of a letter from Mr. Secretary Prinsep, communicating the sentiments of the Honorable the President in Council of Bengal, regarding the principles on which the proposed Bank here is to be established, and a draft Act for the purpose of incorporating it.

It is with feelings of no common surprise that we have perused these documents and we do not hesitate, at once, to state that the decision they communicate violates, not only the express orders and intentions of the Authorities at home, but the common principles of justice.

We will not pause here to consider the many and material alterations introduced into the Charter proposed for Bombay, at variance with the Honorable Court's instructions, and obviously, with a view to curtail its usefulness and advantages. These will form matter for discussion at a future period. We would now call attention, and that too in the strongest terms to which a deep sense of injustice can give utterance, to objections of a more forcible nature. We have said, and again repeat, that the rules and principles of justice are about to be infringed, and that too in a case in which the rights of individuals are at stake. So impressed, and claiming indulgence for the excitement under which we labor should our expressions seem too free, we shall proceed at once to that portion of Mr. Secretary Princip's lettter in which it is proposed to sell the shares, in the Chartered Bank, by public Auction. To this determination we are satisfied that the Supreme Government could only have arrived under a total misapprehension of the whole case, the facts of which are, briefly, as follows;

The Bank of Bomby, from time immemorial, has been in the hands of a very limited number of large Capitalists. To break through the monopoly thus virtually possessed, the effect of which have been sensibly felt, but against which it was difficult to contend the proposition was brought forward for establishing a Chartered Bank which was to be based upon the most approved and liberal principles. For this purpose, after much deliberation, a meeting was convened, at which it was resolved that Lists should be opened for the name of Proprietors, and after the same were filled up, that application should be made to Government for one of two Charters the first being without the Copartnership of Government, the other with it upon the principles sanctioned for the Bank of Bengal. These, when the proposition had met with the General approved of the Community, were laid before Government, and having received their sanction, even to the extent of many attentions having been suggested and adopted by the Proprietors, were forwarded to England, and, after considerable delay and great opposition on the part of the capitalists referred to, through their Agents in England, the sanction of the Home Authorities was obtained to the grant of the Charter to the applicants of Bombay, the exact counterpart of the one which, with the modifications then under consideration, was to form the act for the ReChartering of the Bank of Bengal. A proposition to this effect, on behalf of his Constituents, was, indeed formally submitted to the Court by the Committe's Agent in England; and it was complied with as the result proves in the strictest possible manner. If, however, any thing were wanting to render the intentions of the Court still more clear, it is only necessary to state, that our agent had an interview, officially, with the Secretary of the Court of Directors for the purpose of pointing out the delay likely to arise from the orders of the Court being sent, in the first instance, to Bengal, and that, to obviate, this objection, he was informed that a Copy of the Order to the Supreme Government would be forwarded to the Government of the Bombay, and that the Proprietors would have only to signify their acceptance of the terms offered, to secure without further discusion, the act of incorporation sanctioned at home.

But to prove, still more clearly, the unequivocal nature of the intentions of the Court with respect to the proprietary of the Bank of Bombay, it is only necessary to state that our agent was invited by the Secretary of the Court to make at once, arrangements similar to those adopted by the Bank of Bengal for the purpose of procuring supplies of Bank Notes and other articles, necessery for the Bank of Bombay, through the Court of Directors.

These arrangements were not entered into simply, because our Agent had not powers confered upon him for the purpose of acceding to them; but it is evident that had there been the slightest intention, the remotest conception even, of any other body, than the applicants for a Charter, obtaining the benefits it was to confer, that no proposition for effecting the arrangements in question would ever have been made, it must have been so with the deliberate design to deceive our agent and his constituents; a supposition, so totally contrary to the usual candour of the Court and its officers, that it is impossible to entertain it for a moment.

Can it then be contended, in the face of these plain and straight forward facts and conclusions, that any discretionary power similar to that against the operation of which we are protesting, was intended to be given out of the hands of the Court? It is consistsnt with the course of proceeding adopted by them in the arrangement of the Hon'ble Company's affairs in this country? Is it reconcileable with the position which the Hon'ble Court occupy with reference to the Supreme Government, over whom it cannot be denied that they are the controling authority.

The Committee cannot, however allow so vital and important a question to rest even upon these grounds. They must at one most decidedly protest against the interference with private property contemplated by the Supreme Governmen, as most unprecedented and unwarrantable.

Is it accordant with the laws of justice and equity. Can it even stand the test of policy or expediency or it in any way borne out by the support of precedent that the originators and maturers of a plan, that those who have contended against and smoothed down all the difficulties which opposed it, should, when the project is about to succeed in consequense of their exertions and perseverance for years, be cut off from all the benefits and advantages which success secures, Can any doubt or difficulty in regard to a few shares, or the claims brought forward by some disappointed individuals, lead to such a general forfeiture?

The Bank of Bengal, it seems, is to be taken as precedent for the payment of the instalment of the Capital of the Bank of Bombay; but the precedent is to be followed as far as convenient and no further. The fact of a Charter being given to that institution without any purchase money being exacted, is to all overlooked; and whilst it is brought forward as a fatal objection to the Bombay List of Shareholders, that it contains the names of Firms, no notice is taken of the equally glaring and well known fact that many of the Bengal Bank proprietors originally subscribed and were incorporated as firms; and that in the only instance in which the Legislative Council of India have granted a Charter (that of the Calcutta Bonded Ware-house) six firms appear in the list attached to the Charter as passed in law. But it is asserted, in Mr. Secretary Prinsep' letter ;' that a correction involves a re-opening of the list' which, he adds, is the same thing as re-considering claims for the formation of new list;' to this however it may simply be replied that in the one case no injustice is done, for parties who have, in error, put the names of their firm down as subscribers may, without violating the rights of any one, be allowed to substitute, as the law requires, the name or names of the individuals composing the firms, while the re-opening of the list would admit parties to all the benefits of the Charter who declained to share in the expences and risk necessary for procuring it; and who cannot, with the slightest approach to justice, be shewn to possess a particle of claim to it.

And yet it is upon such objections as these, which in fact afford no better grounds for depriving the present Proprietors of their right to shares than mere clerical errors would have done, that a large body of individuals are to be deprived of a property and of rights they have acquired only after the preserving exertions of two years against oponnents of the most formidable nature, nay, these very opponents are to be admitted, it may be inferred, to all the benefits of the Charter, and by means of their overwhelming capital may be enabled to manage the institution it established. After such a conclusion, what body of men will be so rash as to attempt any improvement, any innovations, subject to the control of a Government which thus denies the claims of enterprise, and confers its benefits on the multitude, or takes them to itself.

Mr. Secretary Princep's letter moreover contains assumptions so perfectly gratuitous that we cannot allow them to pass unnoticed.

In the 13th Paragraph, he states as one of his objections to the list of shareholders, forwarded from Bombay, that the Subscriptions to it were not taken by a public officer of the Government, after notification inviting the Subscriptions of all parties, as if any plan for a Bank had ever been, or could have been got up in that manner; as if Government, indeed, would ever have listened to any application for a Charter but from a body already formed, of whose respectability and objects, they were satisfied. As far, however, as a Gorernment could interpose, on such an occasion, they did in this instance. The proceedings of the meetings were fully recognized by the local Government and all the support and countenance, compatible with its limited jurisdiction afforded to the Bank, so that suggestions, emanating in that quarter, were received and adopted leading to some important modifications in the original proposal. It was moreover, understood that the Government had consented to take the three hundred Shares placed at its diposal.

It is again assumed that the Bombay Bank must have been started in a manner such as to preclude the Subscriptions of public servants of the Company from Shares in it, on the ground of its being a joint Stock Bank. But this was not the case. The plan was to institute a Chartered Bank. It was this plan that received the support of the Bombay Governmont, that was submitted by them to the Home Authorities, and was, by the Home Authorities sanctioned under certain modifications. This plan was, moreover, the only one which they were cognizant of, and it had the support of almost all the public servants of the Presidency who had capital to invest; no exclusion therefore took place on the ground of its being a Joint Stock Bank that was proposed, and if a Character be refused to the Joint Stock Bank, it cannot with any color of Justice be refused to the original applicants to the local Government and the Court, nine tenths of these are still anxious to obtain it while, with regard to the other tenth who may not be forthcoming owing to the casualties of one kind or another, contend that no more equitable rule can be adopted than that of allowing the committee to distribute their Shares according to priority of application, which is the fairest and most reasonable course of proceeding.

If therefore, under all this circumstances, the Charter be refused to the parties whose names we forwarded for it we beg leave, on behalf of the great body of the original applicants—many of whom have since gone home leaving funds for the payment of their Shares, and who cannot now be applied to for the purpose of ascertaining whether they would pay a premium for Shares as proposed that the list embodying their names be received to for the purpose of forming the proprietors of the new Bank leaving it to be completed in the mode adopted in the Bank of Bengal Charter, for the disposal of unappropriated capital.

Should this, however, be refused, should the Government of India persist in overlooking the clear and undoubted claims which we are convinced our constituents posses as original applicants for a Charter and neglecting moreover, the obvious orders and intentions of the Home Authorities, such as we know them to be, intentions clearly explained by the course they have pursued in forwarding to this Government a draft copy of the Bengal Bank Criterha for the purpose of being submitted to the applicants in explanation of the terms forwarded at the same time for Chartering a Bank here, and which have been fully and unconditionally accepted to their very letter, we have to request that all further proceedings involving the Sale of Shares may be stopped, so as to afford such time as may be necssary for the maintenance of our rights.

In the hope, however, of a contrary result and to avoid the delay attending another reference to his Presidency, we beg that the Government will forward a list of the individuals whose names were sent to the Hon'ble Court as actual Shareholders in the Charter granted by this Government, in the hope that the Hon'ble the President and the Legislative Council of Bengal, will, upon a careful review of the whole case, be please to order them to be incoporated as the Proprietors of the Bombay Bank.

We have the honor to be, Sir,
Your most obedient Servants.
(Signed) DAVID GREENHILL,
" G. H. GORDON,
" JAMES WRIGHT,
" GEORGE MORE.
" W. R. MORRIS,
" E. C. MORGAN,
" F. M. DAVIDSON,
" CHARLES WADDINGTON,
" FRAMJEE COWASJEE,
" DADABHOY PESTONJEE,

Gazette.

BOMBAY PRICE CURRENT AND MERCANTILE REGISTER.

Saturday, February 9th 1839,

COUNTRY PRODUCE.

Business has been very dull during the week and the stagnation is in a great measure to be ascribed to the embarrassed state into which the Opium trade, representing so large a capital as it does, has been placed, being at present almost suspended, whilst the passes sold still increase and now amount to 19,472 chests of which 17504 have arrived and 80,12 being exported, to China and the Eastward—Prices continue almost wholly nominal at Rs 690 to Rs. 695 per chest and the price for gambling transactions is about Rs. 40 higher. Such a state of things has begun to be followed by it's usual concomitants, decrease of confidence and a diminished circulation, which are affecting our other great staple commodity Cotton, now declining while the stock is accumulating, that of the old being considerable for the season of the year at which we have now arrived.

THE MONEY MARKET.

In the bill market transactions have been very limited and few bills on London are offering for sale—Some Companys sixty days sight bills on Calcutta have been negociated during the week at 1¼ ℔ cent premium, and on Madras at ½ ℔ cent discount. Notes of the Four ℔ cent Govt. Loans are in little enquiry at 2½ to 3. ℔ cent discount.—The premium on the five ℔ cent Loans is maintained, and high numbers of the Loan of 1825 | 26 and Notes of the Loan of 1829 | 30 are selling at 4½ to 5 ℔ cent primium—

FREIGHTS.

FREIGHT TO CHINA.—Is dull at Rs. 16 ℔ Candy for Cotton.

DO. TO ENGLAND.—Engagements are being made at 3 Guineas to £ 3.10 Stg. and as much as 70s | to 75s | ℔ ton has been given from the Malabar coast.

BOMBAY RACES.

THIRD DAY, SATURDAY, 9TH FEBRUARY, 1838.

FIRST DAY.—A Purse of ~~Rs~~ 1,500 Given by Moosa the Dealer for all Arabs, purchased from him after the 1st January 1838. 2 miles, 8 stone 4lbs. with a Sweepstakes of ~~Rs~~ 100 each, Winners once 5 lbs Extra; twice or more, 7 lbs Extra, &c. &c.

Mr. Waiton's....B. A. G..Pop Joy. .....8st. 4lb... 1
Mr. North's.....G. A. H...Grey Momus...8st. 4lb... 2
TIME..1st *Heat*..1, 1-4, 1-4, 1-6,.... Total 4, 14.

A beautiful race won by a head.

SECOND RACE.—A Gold Cup Value 140 Guineas, the gift of an amateur, for all Arabs, bona fide property with a Sweepstakes of ~~Rs~~ 50 each, 8,7 2 miles.—The Cup to be the property of any Gentlemen who may win it at two successive meetings.

Mr. Forresters..G. A. H...Young Governor ..8st. 7lb..2
Mr. Ettricks....G. A. H...Exile.....8st. 7lb..1
TIME..1st *Heat*..0-59, 1-0, 1-0, 0-59..Total 3-58.

Easy.

THIRD RACE.—A Whim Plate of ~~Rs~~ 600 from the Fund. for all Arab Horses, weight for age and Inches, 14 hands and aged carrying 9 stone, 2 miles, heats.

Major Forbes....G. A. H'.....Kamran.. ....8st. 12lb.
Mr. Blacks.....C. A. G'.....Squirrel. .....8st 7lb.
Mr. Norths.... ..G A. H .....Mameluke.... .9st. 4lb.
TIME 1st *Heat*..1-1, 1-3. 0-50, 1-0.
2d *Heat* 1-0, 1-2, 1-2, 1-2, 1-0.
Total..... ..... 4-3.
4-4.

A good race.

BOMBAY FAMINE RELIEF FUND.

LIST OF SUBSCRIBERS SINCE LAST PUBLICATION.

Amount of Sacramental Collection at Baroda thro' Captain Browne Brigade Major..	~~Rs~~	18	14 0
Total amount of Subscriptions recorded..	~~Rs~~	15,615	3 5
Total amount of Subscriptions received..	~~Rs~~	7,451	6 0

N. H. THORNBURY.—*Secretary.*
Bombay, F. R. F. Office, 11th Februay 1839.

HIGH WATER TABLE 12TH FEBRUARY, 1839.

	MORN.	EVE.
Tuesday.....	9 30	9 59
Wednesday.....	10 26	10 49

MILITARY ARRIVALS AND DEPARTURES.

ARRIVALS.

Feb. 11. Ensign E. Glennie, 26th Regt. N. I. from Poonah.

DEPARTURES.

Feb. 9. Assist. J Doig Staff. to Ahmedabad.
Do. 11. Lieut. and Adjt. Hughes, G. P. Battn. to Kairah

DOMESTIC OCCURRENCES.

BIRTH.

At Thorn Hill Mahabuleshwur on the 5th Inst. the Lady of Henry Brown Esq. Civil Service of a daughter.

SHIPPING ARRIVALS AND DEPARTURES.

ARRIVALS.

Feb. 11. Grab Ship Caudry, Hajee Coonjee Poker Naiquedah, from Peelo Penang, 15th Dec. Allepie 5th January.

Do. do. Her Majesty's Brig Algerine, Lieut. W. S. Thomas, Commander, from Churrachee 8th Feb. called off the Indus, 7th met a Steamer with a Brig and Boat in Tows on the 8th.

Passengers.—4 Natives.

DEPARTURE.

Feb. 10. The East India Companys Schooner Emily, Mr. H. Blowers in charge to Persian Gulph.

Passengers.—Mr. Ommenney.

THE COURIER.

TUESDAY 12th FEBRUARY, 1839.

H. M. Brig *Algerine*, Lieutenant Thomas Commanding, arrived from *Kurachee* yesterday, but we have not heard if she is the bearer of any fresh intelligence.

We have still nothing of much interest to report from the North West, although the *Delhi Gazette* of the 30th January has come to hand. The 1st Brigade of the Army of the Indus was at Khanpore or the 9th ultimo and was expected at Shikarpoor about the 30th, crossing the River at Azeerpoor, from which place Shikarpoor is represented to be not more than 25 miles distant. The authorities with the Bengal part of the force were exerting themselves as much as possible to put an end to the embarassments of the Bombay Army, by purchasing up every available camel. There appears indeed to be much hurrying forward and an eager desire to be in at the *death* of Hydrabad, at which epoch the Delhi Gazette is amusing the lieges with the gratifying hope that of the *spolia opima* a 14,000 rupees share will be the property of each Subaltern. And as each hero who has his foot in Scinde is, it is said, to be a participator, we may conjecture, that our brave warriors are putting the right foot forward. When once Shikarpoor is reached, the Bengal Army is to halt there a period of 6 weeks, we suppose to recruit, sending on a detachment 100 miles in advance to occupy Dadur towards the Bolan Pass. However defective may have been the arrangements on the Bombay side, the Bengalees appear to be well satisfied, the country being abundant in supplies of all sorts, and the Cavalry horses in excellent condition. This last observation does not however apply to the horses in Shah Soojah's contingent which were dying fast, rather from the circumstance of their having been unhappy bargains than through the deficiency of the supplies. Although the Russians are represented to be stirring up hosts of intrigues, yet are we unable to obtain any definite intimation of what they have yet effected beyond the circumstance of Shah Kamran being less well disposed towards us than heretofore. Whether this Potentate only looks coldly upon us, or meditates joining Dost Mahomed and mischief, we cannot determine; but as the latter is expected to doff his Lion's hide as the British bayonets approach his quarters, so we suppose Shah Kamran will become less desperate and more courteous. Russian Engineers are it is said fortifying the heights of Candahar, but this is given merely as *on dit*, upon which little reliance can be placed. One thing only is certain, and that is, gold is quite as powerful as gunpowder to judge from the effects already produced, unless we chose to attribute to the *eloquence* of our diplomatists the success which has yet attended us.

The weather at Simla has been more severe this season than has ever been known, and the snow two feet deep has astonished the tenants of the Ganges, who dreamed of nothing so intemperate at their mountain sojourn. The *Hurkaru* gives us a table of expences for reaching and remaining at this frozen station, but notwithstanding the *luxuries* of zero, and *ice* which can be procured in boundless profusion without the assistance of the IceKing, yet we are fain to confess that the Tariff is a little exorbitant, and albeit it might suit the receipts of the Civil few, yet we consider it sounds too large in Rupees for the smaller fish. However with all this to retard its colonization by the junior brances of society, we still find that Simla and its eighty bungalows are well tenanted, and that it requires a little love as well as money to procure agreeable sites for undergoing the process of *hybernation*. We once thought that we, the *Ducks*, were, better situated than the Bengallees, and that our Hills, Poona &c. gave us a pre-eminent advantage; but still our sanitary posts are nothing too cool, and are habitable with comfort a few months only in the year. The Bengallees on the contrary pass into a lower latitude, they establish themselves on the mountain top, and then remain for a year or two in the climate of England, while their near neighbours are bathing themselves under the moist temperature of 90.

A Postcript to the *Madras Herald* informs us that it is *decided* there is to be *no war* with Burmah for the present, as the season is considered too far advanced. This certainly, without entering into the *pros* and *cons* of the delay which have prevented a settlement with Tharawaddee this season, appears judicious. But what is to be done with Colonel Benson, for we apprehend his will be an uncomfortable berth when this postponement of our friendly intentions becomes known. Tharawaddee may take it into his head to put the representative of British Majesty into a cage, and revenge himself thus for the treaty of Yandaboo. If we were situated at such a distance from redress as Colonel Benson we should feel any thing but comfortable.

Major General Sir John Doveton, K. C. B. and Lady Doveton embarked from Madras in the *True Briton* on the 30th ultimo, and proceeded to England. The popularity of Sir John Doveton at Madras was sufficiently evinced by the hospitality with which he was entertained, when his intention of quitting India became known.

The Crew of the *Ganges* which lately arrived at Madras suffered in it's numbers in a singular manner. On quitting the *Mauritius* some boats were put out for the purpose of fishing on a shoal, and the success of the fishers being considerable the crew was plentifully regaled with fish. In a short time however, those who had eaten manifested symptoms of having taken poison, and in the end 14 of the crew became the victims of their feast. We are rather surprised that those who are acquainted with tropical seas, and with the fact of how many of the races of fish which swarm on coral reefs and banks are poisonous, should have indulged so freely without suspicion of the danger resulting from their repast. Nothing can be more hazardous than the indiscriminate eating of fish caught on Coral beds.

We have received the first number of a new paper established at Agra, and baptized *Greenway's Agra Journal*, and we congratulate our new contemporary upon his first appearance. It is of nearly the same size as the Literary Gazette and contains about one third as much matter. We perceive that this new circulator of intelligence does not intend to rank itself among the supporters of Government, as we collect from its article on the affair of Jhansi, which was so smuggled through that no one knew any thing about it except one or two great political nobs, who *got up* the affair, put the army in motion, took possession of a *deserted* fortress, and have we suppose made a *new* treaty in defiance of heirs lineal collateral or adopted.

We find by the *Ceylon Herald* of the 25th January that the repairs of the *Morley* had been completed, and that the troops were to re-embark on the next day for her purpose of proceeding to Bombay.

MADRAS.

UNITED SERVICE GAZETTE.—FEB. 1st.

THE PRESIDENCY ROADS AND ADYAR CAUSEWAY.—The disgraceful state of some of the roads at the Presidency, can hardly fail to have been remarked by many of our readers, and those who have had occasion to pass the Adyar Causeway since the Monsoon, must have done so at the risk of their springs and the knees of their horses. In fact we know an instance of a perfectly new conveyance having come to casualty within the last few weeks by snapping of its axle tree, which had not been calculated for such rough work: for the Adyar Causeway having been in part washed down by the early rains of the last monsoon, a quantity of stones was brought and shut down without any attempt at regularity, or rendering the surface level, the consequence is, that a horse can hardly keep his legs amongst them, and the springs of a Carriage are endangered by the terrific jolts to which it is subjected in crossing, and which might have been remedied, with but little trouble or expense.

The dwellers on the further bank of the Adyar will however rejoice to learn that they have a fair prospect of a bridge across that river, meanwhile, as a gentleman well acquainted with the doings in Leadenhall street, assures us that the Court of Directors have determined to sanction the erection of a bridge, provided it can be accomplished for 70,000 Rupees. The great southern entrance to Madras, will thus no longer be obstructed during several months in the year.

———

PULICAT.—We regret to learn that the small pox is at present making direful ravages in the Ellichpore country, numbers of children being daily carried off by this sad scourge. We are surprised that a Government, which is so liberal and fostering in some respects, does not adopt means for extending the benefits of vaccination in those districts.

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MR. C. E. RUSSELL.—A Correspondent in England writes that Mr. G. E. Russell, late Member of Council at this Presidency, is to have the sum of two thousand pounds conferred on him, for his services in Cabinetoor.

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BELGAUM STATION.—The *Spectator* of Wednesday last, contains the following extract from Division orders at Belgaum:—

"*Extract from Division Orders dated 20th Jan.* 1839.

"Capt. WARE, Deputy Judge Advocate General Southern Division of the Army will receive charge and conduct the duties of the Post Office, Deputy Assistant Adjutant General's Office, Deputy Assistant Quarter Master General's Office and Deputy Assistant Commissary General's Office, on his own responsibility on Monday next from Capt. HART; that Officer being about to join his Regiment proceeding on Field Service, subject to the approval of the Commander in Chief of the Forces and Government."

To ask the opinion of our Military readers on an act of such barefaced injustice towards the Madras Army, would be superfluous; every impartial Military Man, be he of whatever establishment he may, will hold up his hands against the act to which we refer, of the officer commanding the Belgaum Division, Colonel England has, as it is surmised, merely acted in strict obedience to the positive orders of his predecessor, but if Colonel England is to be trammelled by the orders of Major General Salter after that officer quitted the limits of his command, he certainly ought not to be held responsible for any ill effects that may arise therefrom. That Major General Salter acted towards Captain Hart in a spirit of favouritism and without any authority from the Bombay Government for the exclusion of the Madras Officers under his command, from Officiating in such appointments as might fall vacant at Belgaum, we have always believed, and we are confirmed in that belief by the fact of a General Order emanating from the Bombay Government itself, under date the 15th January, appointing Lieutenant Gordon of the 15th Madras Native Infantry, to conduct the duties of Postmaster at Belgaum. This is a very sufficient proof that the Bombay Government neither wished, or authorised the monopoly practised in favour of Captain Wells, Deputy Judge Advocate General, who was appointed to take charge and conduct the duties of Postmaster, Deputy Assistant Adjutant General, Deputy Assistant Quarter Master General, and Deputy Assistant Commissary General in addition to his own, five days subsequently. That Sir Jasper Nicholls will notice the subject in a manner worthy of himself, we have not a doubt, and we thus take leave of it for the present.

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MADRAS HERALD.—FEB. 2.

The Ganges.—There has been much and very fatal sickness on board this vessel owing to a singular circumstance. Shortly after leaving the Mauritius she hove to off a Fish bank and let down the boats to fish; the men were successful, and eat, plentifully of what they caught, and within a very few days fifteen died in a most extraordinary state, being swollen like porpoises.

The True Britons.—Sir John Doveton.—Major General Sir John Doveton, K. C. B., with Lady Doveton, embarked for England on board the Ship *True Briton*, on Thursday morning last under the salute due to his rank, and sincerely regretted by the entire Society of this Presidency.

The Storm at Bhurtpore.—Sir Jasper Nicolls.—The *English-man* of the 19th ult., the anniversary of this memorable exploit of the Indian Army, contains a copious and interesting account of the storm, and we have transferred it to our columns in the belief that the Madras Army will read with interest the details of this gallant and daring achievement, in which so distinguished a part was enacted by their present Commander-in-Chief Sir Jasper Nicolls.—*Madras Herald Jan.* 2.

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POSTSCRIPT.

Herald Office, Saturday.

Arrival of the War Steamer Enterprize.—This most creditable specimen of Calcutta Ship building made her number about seven o'clock this morning and came to anchor shortly after. She left Calcutta on the 27th ultimo, having thus made the passage in six days.

Passengers.—Captain and two Misses Mackenzie.

We learn that it is considered as *decided* that there will be no war with Burmah—we mean for the present. The season is considered, and most properly so as too far advanced. The *Enterprize* is conveying Treasure to Moulmein and merely touched here to know if the Government wished to avail themselves of the *opportunity to send* any thing to that quarter.

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CALCUTTA.

ENGLISHMAN.—JAN. 28.

HINTS TO INVALIDS AND OTHERS RESORTING TO SIMLA.—As we are approaching the period of the year when invalids, and persons who can claim the privilege of being idle occasionally, resort to Simla, we think that we shall perform an acceptable service to those who have never yet visited the glorious hills, by giving them a few hints as to the best method of proceeding thither in reference to their (the visitors) own comfort and the comfort of their families, if they happen to be blessed with such appendages. We have a '*Guide to Simla*' on the anvil, which, we flatter ourselves, will, when complete, rival the Little Pedlington Ranger's *vade mecum*; but as all our material is not at hand just now, we cannot unhappily bring out the work for some time to come. We wish to clear up certain doubts about a pump-handle, and learn the exact best of a tee tree; grave matters which cannot be resolved without a reference to the neighbourhood of Fagoo. In the mean time, however, the following *rensign qua* may be serviceable:—

The first thing to be done when the invalid or the idler has made up his mind to go to Simla, is to write to the house agent Mr. W. B. Hamilton, requesting him to *secure a habitation*, of a size adapted to the extent of the family or to the means and wishes of the intended tenant. There are about ninety English houses at Simla, with pretty little gardens attached and more than two-thirds of these are available to the stranger. The size of the houses, barring that they are chiefly bungalows, approximates to that of the small country residences in England, or to those of the middle orders who abide in the Prospects Pisces of the Kent Road, Clapham, or similar suburbs. The rent varies from 400 to 1,500 rupees for the season.

The house being secured, the next step is to send word to Messrs. Barrett and Co. of Simla to furnish it.—Instructions being given them as to the extent of goods and chattels required by the party, and the sum which must constitute the limit of expenditure. Every article that can possibly be required, from a pair of shoes to a perruque, from a saucepan to a cheval glass, may be obtained at that excellent establishment.

In making the journey to Simla from any station in the *Upper Provinces*, the traveller may suit himself as to the quantity of articles to be carried on the march. *All superfluities may be left at Bhar*, at the foot of the hills, where Barrett and Co. have an agent, and a godown expressly established for public convenience. The dawk traveller may, in like manner, leave his palkee there, merely labelling it with his name. At Bhar, either ponies or jumpans and bearers will await the traveller to carry *him (or her) up the hills*—(the former should be spoken or sent *onwards*)—and if he has kept the respectable firm already mentioned well informed of his movements, their attention will provide him with a dinner or a breakfast at the bungalows which are to be found at the three principal stages of the trip. They will also have a man at the entrance to Simla on the look out for his approach, and ready to conduct him to his residence.

Arrived at Simla, the visitor has nothing further to do, than provide himself with a long stick pointed with iron, a warm coat of the cloth of the hills and pair of the gloves of the same *locale*; two rambles about one half the day and sit by the fire, the other half. Of the beauty and attractions of the scenery,—of the delicious climate of Simla,—and of the lions and 'pump handles' of the place, we propose to speak on another occasion, and under a more poetical inspiration than has seized us at the present writing. At present we must limit ourselves to a selection from the practical pages of the Guide Book, and help the visitor from the plains to some idea of the *expence* of his enjoyment,—a point, we apprehend, of material interest to most sojourners. The following comprises every item that occurs to us at this moment. It embraces the expence of a year's residence at Simla, for a gentleman, his wife and children, including the trip from Cawnpore. Parties going from the Presidency have only to add the cost of a passage by the Steamer to Allahabad, and the dawk thence to Cawnpore, or the dawk the whole way to Cawnpore—about 400 Rupees each person.

MEMO.		
Travelling with two hackeries to Bhar, each 40 Rupees		80
Four camels, each 10 Rupees		40
Twelve bearers with two palkees, at 10 Rupees each (sicca)		120
Two kalasses, each 10 Rupees		20
Godown hire at Bhar for a year for, 2 palkees and 2 tents		28
Jumpans, (3)		3
Bearers to carry the whole party to Simla from Bhar		18
Fifty Hill porters to carry baggage up		50
Ditto down		08
House Rent, (any)		800
Keep of a horse		144
Hire of six bearers for the lady's Jumpan, at 21 Rupees per mensem		286
Ditto for the children's dooly, at 16 Rupees per mensem		92
SERVANTS.		
Khansamah	9	
9 Khitmudghars	14	
1 Cook and his assistant	13	
Ayah	6	
Sweeper	4	
Bheestie	4	
Chuprassie	5	
Sice	5	
Sirdar bearer	6	
Per month	56 @ 12	780
Bazar, fire wood, and minor expences, say		1800
Wines, &c., *ad libitum*		
Total		Rs 4131

Perhaps, were we to say 5000 Rupees, we should be nearer the mark especially if we took into account the subscription to Barrett's library, and billiard room, occasional charities and *menus plaisirs*. Less than this, a family of the dimensions we have supposed cannot spend; but there is ample temptation and opportunity to spend a great deal more. The bachelor or the head of a larger family than a wife and three children, has only in the one case to employ the Rule of Three and in the other the multiplication table, and he will thus arrive at a tolerably correct notion (at least as correct a one as we can give him) of the expences to which a trip under his peculiar circumstances will subject him.—

SIMLA.—It is singular enough that the following letter should reach us just after discoursing so eloquent regarding the attractions of Simla. We should have offered our hints a few weeks earlier, it seems for the houses are nearly all let:—

Simla 15th Jan.—'Snow now lies two feet deep on the ground at Simla. The thermometer is down to 30° Fahrenheit, in the open air, and on a mantel piece over a huge fire of logs, ranges from 45° to 50°.

Our noble pines are actually bent with the weight of the snow that rests on the spreading branches; sparrows and other wild birds fly into our verandahs in quest of food.

Our roads are nearly impassable; the shops in the bazar are all shut up; and happy are house-keepers, who were provident enough to lay in a stock of biscuit, salt meat, fire wood, and grain for their cattle.

Every thing is white: houses, trees, fields, and rocks; indeed it is painful to look abroad, so brilliant is the scene.

There is not a soul to be seen out of doors; nor is there a breath of wind afloat; all is still and quiet, save when a rook alights on the window stool, and croaks for food.

We have had forty hours snow continuously; and the large soft flakes, which now cross each other a thousand ways in their slow and circuitous way down, threaten to block us up in our houses.

The roofs of two slated houses have fallen in, from the weight of snow that rested on them; and if tenants or proprietors do not take care to remove the snow once or twice a day from the roofs of their dwellings, we may hear of other disasters.

There's no getting a sight of one's neighbours in such weather as this, except by mere chance; but then, when one does meet a European, there's the freshness of Europe in his face, and a glow of pleasure in his countenance, that's not to be met with in the plains.

It is strange that old Indians think so little of such weather as we now have: instead of wrapping themselves up in shawls as one would suppose, they would do in the depth of a Simla winter, they may be seen out, stick in hand, in dozens, as soon as the snow hardens a little. Indeed I saw a happy strapping invalid out yesterday under heavy snow, with iron shod stick, leather leggings sloushed hat, and putto coat, braving it in knee deep in snow. I myself never look out, but a desire to be abroad, gun in hand, creeps over me; but it would be a sin to take advantage of birds, which the inclemency of the weather, places so much at one's mercy. Such a winter as this will do more for an invalid than two summers in the hills.

You have heard, I dare say, that the Governor General is to be here about the 26th of March, and it is even supposed that the Commander-in-chief and establishment will spend the ensuing season here.

There remains but four houses unengaged for this year at Simla—if there were twenty more, I'm sure they would all be rented.' Jan. 29.

BENGAL HURKARU JAN. 30.

EDITOR OF THE CALCUTTA COURIER.—The Managers of the Orphans Establishment, have as we predicted they would, failed in their attempt to obtain an Editor, by means of a public advertisement, and a salary of Five hundred rupees per month. The poet Imlac, expatiated so learnedly and largely upon the qualifications required to the constitution of a great poet, that Rasselas, at last desired him to cease, assuring the bard that he had said quite enough to convince his auditor, that it was impossible for any man to be a poet. Were we to follow the example of Imlac, the bard of the happy valley, and expatiate upon the requisite qualifications of an Editor, our readers might perhaps come to the same conclusion in respect to that vocation, as Rasselas did in respect to poetry, and perhaps with far more reason. However, we are not purposed to lay open the secrets of the Pandemonium, but any man who knows aught about the matter must know, that no man who is capable of editing single handed a daily journal, adapted to the present demands of the "readers" of India, (if such a wight there be) would think of undertaking such a duty on the terms proposed by the *Courier* managers. It would be absurd as well as presumptuous, to undertake (*tout ali single-handed*, in competition with the rest of the Press, as at present conducted. We don't know whether the rumour that the managers are about to fill the editorial chair themselves, in succession, week by week, be a fiction of law, or a fiction of poetry, but perhaps if they were to try the experiment, it might serve to convey to them a correct notion of what the business of editing a public journal is. We must say, that if they do adopt this plan, it will be an act of rare magnanimity and self devotion; indeed quite unprecedented. We remark that the late Editor does not part with the "Management" on the very best terms. We publish elsewhere our contemporary's farewell.

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FEROZEPORE.—The following is an extract of a letter from Camp Ferozepore, 14th January, 1839:—

"The *climate* of Ferozepore promises well. It is peculiar to this part of India and unlike any other, except Loodiana. Continual cloudy weather, occasionally rainy and a climate particularly advantageous to Europeans as well as natives.

We can ride out *all* day without the slightest inconvenience, except that sometime it is rather *too* cold than otherwise to be comfortable without a great coat.

Scarcely any sick in hospital. The Buffs have about twenty men. The Native Regiments not half that number. One corps has only seven men sick out of seven hundred. There is very high and eligible ground for a cantonment—*excellent* soil for gardening. The wild turnips have positively the flavour of the English, and, altogether Ferozepore promises to be the Cheltenham of the East.

The country is *quite* free from jungle, and Sutlege only three miles from us. The day is not distant when we shall see *steamers* here from Bombay, and the *facility* with which individuals will be able to visit that presidency, and Europe, will doubtless be very great.

———

CALCUTTA COURIER.—JAN. 30.

We publish two very lengthy enactments respecting the renewal of, and amendments introduced into, the Charters of the Bank of Bengal, the increase of Capital, etcetera: and also respecting the proposed new Chartered Bank at Bombay. The provisions of these two enactments appear to have been framed upon mature consideration, and with a view to the prosperity and duration of the two establishments constituted by them—in calling attention therefore to these two Legislative enactments, we believe we do all that is required of us editorially.

———

CALCUTTA COURIER.—JANUARY, 29.

We have, by the last Mail, received among other publications the Act of Parliament, by which is abolished arrest for debt on *mesne process*, that is, arrest of the person previously to the substantiation in Court by Evidence, or out of Court by cognovit of the debt of the creditor on whose behalf such arrest may take place. Arrest on mesne process is by the Act abolished in England, in all inferior Courts, and in all the Superior Courts, except in certain excepted cases. The Act, after providing that all civil actions shall for the future be commenced by writ of summons instead of, as before, by writ of shutting up the debtor in prison, proceeds to enact, that on oath made by a creditor of debt due to him in amount above twenty pounds, and that there is probable cause for believing that the debtor is about to quit *England*, unless he be forthwith apprehended, that then in such case it shall be lawful for a Judge of the Superior Courts of Her Majesty at Westminster, i. e. Court of Queen's Bench, Common Pleas or Exchequer to grant an order that such creditor be held to bail, after which order the writ of *capias* goes as before. The Sheriff then executes such writ, and the defendant must either give bail, or deposit money in satisfaction of the debts with £10 for costs. Such order for arrest may be made after the commencement of proceedings by writ of summons on affidavit of the contemplated flight from England of the defendant. The defendant, however, may always make a motion for his discharge, calling his detaining creditor to shew cause why such defendant should not be discharged out of custody; and all prisoners in custody on *mesne* process at the time the Act comes into operation, who might have filed petitions under the Insolvent act are entitled to be discharged.

The Act then contains a clause for making a debtors bankrupt on the affidavit of a creditor for one hundred pounds or upwards, of two or more creditors, whose debts may amount to two hundred and fifty pounds and upwards. The debtor is to be served with a copy of such affidavits, and if he shall not after twenty-one days pay or compound for his debts, and enter into a bond, the terms of which are specified in the Clause, then such trader shall become a bankrupt.

The Sheriff is empowered to take in execution of judgments obtained in the Courts against debtors, all lands, rectories, tithes, rents and copyhold lands, also all money, bank notes cheques, bonds, specialties and other securities for money, and to pay the same over to the judgment creditor. He may sue for the amount secured by the bills of exchange, bonds, &c. and payment to Sheriff by the obligor of the note, bond or specialty is a good discharge to such maker, drawer, acceptor, obligor, &c. A judgment is to operate as a charge on the estate of the debtor, not to be enforced, however, for a year. Stock and shares in public funds and public companies belonging to the debtor, and standing in his own name may be charged by order of a Judge, upon the application of a judgment creditor. The order of the Judge in these matters is, after notice to the Bank or Company in whose funds the debtor may have shares, &c., to have the force and validity of a writ of *fi fungus*. Securities not realized are to be relinquished, if the person of the debtor be taken in execution; judgment debts are to carry interest; and decrees and orders of Courts of Equity are to have the force of judgments. These are the most material provisions of this new and highly important Act of the Legislature. It gives vastly encreased facilities to creditors to satisfy themselves out of the property of their debtors, while at the same time, it gives great relief to the debtor, and protection to his person against the persecution of harsh creditors. It also at once does away with an excessively [illegible] to fraud, by which formerly, to suit a particular purpose any designing rascal, or any rogue constituting himself the tool of designing and bad men, might, on false affidavits obtain, cause the incarceration of individuals to the serious damage of their character and property.—Jan. 29.

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DELHI GAZETTE.—JANUARY 30.

Our late letters from the Army of the Indus are of the 9th, 11th, and 14th Instant, and place us in possession of the following intelligence by which we are happy to find they have not experienced any difficulties, save the desertion of a few few Rewaree Camels.

On the 9th the 1st Brigade was at Khanpore, where they arrived that morning, and learnt that the Ameers of Scinde are going to meet our Bombay Troops at Tatta, fight, they are determined. Sir A. Burnes has joined the Shah's Troops six or eight marches on this side of Shikarpore. The Shikarpore Mean is in our favour, has given up the Fort of Bukkur, and a passage through the Bukkur pass. We will have 15 day's march to Shikarpore besides halts. The Cavalry are here to day halting. Brigadier Dennie's Brigade comes in to-morrow, and we halt, and so on. *Collecting supplies is the cause of the halting.* Government purchasing up every Camel in the Country for the Bombay Army. But after a good fight they ought to help themselves to as much carriage as they would wish, we have plenty of supplies, Grain 18, Atta 18, Ghee 26, Barley 19, Ghee 24. The roads are admirable, such as would enable any person to drive four in hand, they are regularly made for us. The water is also very good and plenty.

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Letters from Sir W. Cotton's Camp state that Lieutenant Colonel Sir Alex. Burnes, apprehending an attack, and the probable loss of supplies, laid in for the Army, had called for the rapid advance of *Shah Soojah's* Force upon *Shikarpoor*. Rumour had it, in Camp, that Heriat had been again invested—not indeed by the Persians, but by *Dost Mahomed!* This we do not at all credit.

Sir J. Keane, it is said, takes up his position before Hydrabad tomorrow, the 12th, with 5,000 Troops, having sent to his rear for 4,000 more, with which he commences the seige at once. Hydrabad has 70,000 people within its walls, and treasure to an extent that would yield upwards of 15,000 rupees to a Subaltern's share. The Troops, composing the Army of the Indus that are within Scinde territory on the fall of Hydrabad are to share. All therefore are anxious to reach the line which the Cavalry Brigade will do on the 14th instant at Subzul Kote. Bengal portion, it is said, halts six weeks at Shikarpore, sending on a detachment, perhaps a Brigade of Infantry, to occupy Dadur, 100 miles towards the Bolan pass. Dost Mahomed is expected to come to terms, as proposed by our Government. Sir A. Burnes with Shah Shooja's force are hurrying at once. *The Ameer of* Khyrpore, whose territory and capital lies directly in our path, has placed the whole of his resources at our disposal. The others have kept aloof. Our force has had no troubles hitherto, save Camels deserting dying and knocking up, and the Natives have not sufficient confidence in us yet to bring their Camels for sale in any numbers, only a few at a time and they *exclusive*, making their appearance. Indeed the people have have driven all their Male Camels and young Women far into the desert, which we have bordered on every day Khyrpore, 10 Stages in our rear. Our course keeps steadily within 2 or 300 yards of the desert to the left, or southward, the track being marked over fine hard soil, the road consequently superior to most in India. Abundance of Jhow Jungle for the Rewaree Camels at every stage, but it has bad effects on Camels not accustomed to it.

The horses belonging to Shah Shoojah's Force are dying by the score, so unequal are they to this trip. None of the Horses of our Troop of Horse Artillery with that Force have suffered. All our Cavalry Horses are in really excellent condition, and some will have it that those of the Troop of Horse Artillery are beat. Cavalry Brigade reaches Shikarpore on the 27th instant crossing the Indus at a few miles below Horse on the 24th. No precaution has yet been sustained by the Army. The Camp will be pushed to provide both Atish and Camels at Shikarpore of which articles there is at present but a short supply, the Government have however hitherto managed so well that no doubt they will continue doing so.

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A letter from a friend at Ferozpore, of the 20th Instant, mentions that the 20th N. I., and 2 Risallahs of Skinner's Horse, march to-morrow morning to Loodianah. The 53d N. I., and troop of Horse Artillery follow them on Tuesday. The rest of the Force, the General and Staff remain at Ferozepore.

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Shah Soojah's force appears to have reached Quiker on the 14th instant, and were progressing in a most favourable manner, and would, in all probability, cross the Indus, at a place called Uzeepore by a Ferry, which, considering their very augmented strength, would likely prove a most troublesome business. All agree in the roads being most admirable and by far better than our own provinces present. The indefatigable zeal and exertions of Captain Johnson, the Pay and Commissariat Officer, are said to be beyond all praise, and the very satisfactory and able manner the duties of both Offices are conducted, clearly shews how perfectly qualified he is for his situation, and the credit due to Government for the selection they have made in his nomination.

Sir Henry Fane is said to be but little in advance, and it is even conjectured he may again assume the Command of the Army of the Indus, especially if matters are not likely to proceed without further obstacles. All our letters seem to agree in the idea that Russian intrigue is busy within the walls of Heret, which possibly may account for the sudden departure of the Political Authorities, in which case more impediments may present themselves, than we at first calculated upon; notwithstanding the assertion of Shah Kamran, still professing himself our faithful Ally, and we hope Government may not have been premature in breaking up the Reserve of the Army at Ferozepore.

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The possession so easily of the Fort of Bukkur is certainly a great point gained. It is said to be situated in the middle of the stream, consequently entirely commands the passage.

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We have just been favored with the following article of intelligence from the Camp of the Right Honorable the Govr. General, dated on the Banks of the Gaggur, 20th instant.

Governor General's Camp, Sooanm, Sunday, 20th January, 1839.

CAMP ORDERS BY THE RIGHT HONORABLE THE GOVERNOR GENERAL.

The Camp will move To-morrow Morning to Ghota But, distance about 14 miles. The General will beat at 6 and the Assembly at ½ past 6 o'Clock.

ESCORT ORDERS BY MAJOR GENERAL T. P. SMITH COMMANDING.

Agreeably to instructions from the Right Honorable the Governor General the 1st Troop 1st Brigade Horse Artillery. The 4th Regiment Light Cavalry and the 21st Regiment N. I., will leave His Lordship's Camp, and commence their march into Cantonments at Kurnaul To-morrow Morning.

Lieutenant Colonel Palmer 21st Regiment N. I., the Senior Officer present with these Troops, will be pleased

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to make the best arrangements which the time will admit of, for supplies on the route.

The 17th N. I. will furnish the usual Saluting party in advance at 2 P. M. this day.

Major Oliver Commanding 17th Regiment N. I. will be pleased to make such arrangements as he may deem proper for the duties of the Governor General's Camp on its march *to-morrow.*

Major General Smith, on the occasion of the breaking up of the Brigade forming, His Lordship's Escort, was pleased to issue the following orders a copy of which has been through the kindness of a Friend, transmitted to us.

On the breaking up of the Brigade under his Command Major General T. P. Smith has received with great pleasure the assurance of the Right Honorable the Governor General's high satisfaction with the quiet & orderly manner in which the whole routine duty has been conducted, and is happy to fulfil His Lordship's directions by communicating these sentiments to the Officers and Men under his Command. Major General Smith, on the separation of the Troops, which served under him as Escort to the Right Honorable the Governor General on his visit to the Maharajah Runjeet Sing, begs to express to Commanding Officers his high approbation of the discipline and good order maintained by them in their respective Corps and detachments during their residence in the Punjaub and in the Territories of the protected Seikh chiefs; and he fully appreciates the steadiness and excellent spirit exhibited by the Officers and men, which under the circumstances produced so gratifying a result as the Expressed satisfaction of the Governor General; the Major General has been fully satisfied by the ability and attention to the duties of his Office exhibited by Brevet Major Wilson, Major of Brigade, and begs to offer his best thanks to him, to the Commanding Officers, to the Commissioned Non-Commissioned Officers and Men generally, for their conduct while under his Command.

The Guggur having become so much swollen by the late rain, the Governor General's Camp had been detained on its banks, consequent to which His Lordship will not be able to reach Hansi before the 30th inst. and Delhi before the 11th or 12th proximo.

(From the North West Englishman, 24 Jan.)

After a march of 18 miles over a flat open country, the 2d Brigade arrived at Bahawulpore on the 1st, and halted on the 2d of January. We were all much disappointed at the appearance of the capital, which we were led to suppose was something superior to the common Villages hereabouts; but with the exception of size, it differs in no respect from the generality of them. It covers a large space of ground, and is surrounded by a common wall, without ditch, bastions, or any means of defence. On entering the City, the first thing which strikes one, is the immense number of Palm Trees, principally of the Date species. On enquiring for the residence of the Khan, you are shewn, a miserable mud hut, entering from the most filthy part of the common bazar You might infer from this, that Bhawul Khan feels so secure in the affection of his subjects, as to require, no Fort, or Citadel, for his residence. On the contrary, the whole City is crowded with his Soldiery; in every direction you see Horses picketed, Muskets piled, and Cannon bristling. The men on the whole are a fine stout manly looking race, some of them really handsome, with the colour and complexion of Europeans. I cannot say so much for the Horses, they are of the most wretched description, far inferior to those of the Pindarees, most of them no way superior, to the common Caranchee Tats of Calcutta. The Arms are of endless variety, apparently collected from the Antipodes, Dutch, French, and old Tower Muskets, Cannon of English, Spanish, and Native Manufacture Bows and and Arrows, Sears and Matchlocks from all parts of Hindoostan ... ish weapons for the motly group. The Feringhee ka pultan "the Imperial Guard" of His Highness, marched into the City the other morning, to the great amusement of the Sepoys. The band in front, with a lot of old Company's Drums and Files, and wind instruments of various kind were playing the Khan's favourite march, which as far as I could make out, appeared to be a mixture of Mal Brook and the Hundredth Psalm; free and easy, seemed to be the motto of the men, for every one smoked his hubble bubble, and marched on in total disregard of time or order. But the best of the whole procession, was the Artillery, in this arm they were strong indeed, and so well aware of the importance of the charge seem the Artillery men, that they adopt the simple and certainly novel plan of carrying their Guns on common Hackeries. Upon the whole the Khan's force is quite contemptible, and I have no doubt, that one of our Regiments of Native Cavalry would ride over, and make mince meat of the whole 10,000 men. The Bazar is extensive, and well supplied with oranges, and dried fruits of Cabul and Moultan; but the street is so narrow, that it is no easy business, to elbow your way through the mass of people, intermixed with Camels, Horses, Bullocks, &c. To vary the scene, you occasionally stumble upon a dead Camel, surrounded by hundreds of ravinous Pariar Dogs, numbers of blind and lame, with idiots. Beggars and Fukeers of all descriptions, add to the crowd. And the variety of languages—and noises of every kind, could scarcely be exceeded by Babel. On the whole, one visit to Bahawulpore is quite enough, it does not contain a single building not even a Mosque worth looking at, and it will be centuries before in splendour, it comes up to the worst parts of either wapping or St. Giles. We hear, the Nawab was inclined to believe in rather a rude way to Shah Soojah, he shut up the gates of the town, refused to allow any of the King's people to enter, and shewed no inclination to wait upon his Majesty. After the arrival of Sir Henry, however he changed his tone, and on sudden became mighty civil. he made various presents to the King, among others, 2 pieces of Cannon and six swivels, in addition to this, we hear Shah Soojah took the opportunity of claiming a lakh of rupees in liquidation of some old debt, and actually managed to do the Khan out of the money. There is but little news stirring here, but of rumours there is no want. The death of poor Colonel Duffin of the 2d Cavalry, is the only melancholy occurence which has taken place since we left Ferozepore. He was buried on the 31st of last month, about a mile from the gate of Bahawulpore. Shah Sooja's Force are moving on some six or eight marches a head of us. They give, by no means, a favourable account of the Country. Two of their discharged men had been murdered by a party of mounted robbers; occasional desertions still occured, but these were not felt, as they completed the Corps with recriuts from the Bahawulpore Force, and are now much above their number. The accounts from Scinde are by no means satisfactory. Sir John Keane, it is said, attempted to pass up to Hydrabad in a steam vessel, but was refused permission to proceed. He has landed with his army on the Sea Coast, but as he depends entirely on the Ameers for supplies and carriage for his Troops, and they have refused to assist him with either,—he of course cannot move on, were he able even to do so,—he has no means of getting across the Indus, and cannot approach Hydrabad. It appears the Ameers are indignant at our entering their Country with an armed Force, they have issued a proclamation, threatening to punish any one who assists us with supplies, and have accused us of treachery, in being the first to break the treaty made in Lord Bentinck's time.

The Treaty certainly specifies in the most distinct manner, that no Armed ... but the question is, are ... of the treaty. When the Ameers themselves have virtually broken through it, by carrying on clandestine Correspondence with the Powers hostile to us. What is to become of the Bombay Army, I cannot tell; but they must either retrace their steps, and embark again; or hold their ground, till we approach to their support. It appears somewhat strange, that we should land an army in the heart of Scinde without first obtaining the permission of the Rulers, and with full arrangements having been made for the support and carriage of the Troops. The Scindians are a brave high-spirited people, and esteemed good Foot Soldiers, besides which, they have a body of 30,000 Beloochee Horsemen in their pay. So if they feel inclined to visit us, it is very clear, that our petty Force is not more than sufficient to keep them in check, and all our dreams of Cabul must vanish for this season. On the other hand, report says. The Keirpore Ameer has completely entered into our views, is bestirring himself in every way, to forward our objects; has laid in large supplies of provisions and actually given up the Fort of Bukkur to us. The latter is a great acquisition, as it completely commands the navigation of this part of the Indus. The Shikarporeans are also said to have offered us their Capital, this is by no means improbable, as the Inhabitants are ill affected towards the Ameers of Scinde, who by their tyranny and exactions, have nearly destroyed the Trade and prosperity of the City. Of course we will not lose the opportunity of taking possession of Shikarpore, and as it is a part of the Ancient Affghan Empire, from the time the Shah enters it, he may be considered as having set foot in his own Kingdom. Of the Shah, I have nothing favourable to report, he is said to have Seen in a mighty rage the other day, at one of his European Officers presuming to laugh in his august presence. This is only a first specimen of that miserable pride mixed with cruelty, which has already turned himself and family twice off the Throne. Let him once feel secure on his Guddee, and the old work of putting out eyes, Skinning alive, &c, will come into fashion again. How different from the plain, open, brave Soldier, his opponent Dost Mahomed. Reports from Burnes are highly satisfactory. Crowds of Affghans are already flocking in, and to keep them out of mischief, he has already formed 5,000 of them into Regiments, on behalf of Shah Sooja, and only wants Arms and Officers to fully organise them. The Company cannot well spare them more Officers. But it would be a fine field for India Britons to distinguish themselves, and shew of what stuff they are made. This class, which is rapidly growing in importance and numbers, possesses many bold and enterprising spirits, much better fitted to wield the sword than the Quill. The example of the gallant Colonel Skinner should stimulate them on, and make them ambitions of something better, than furnishing Drummers and Fifers for the Bengal Army. Lieutenant-Colonel Sir A. Burnes has been equally fortunate in gainning over to our side the Chiefs in possession of the Boland Pass, His weapon has been Gold, the best of all Pioneers, with plenty of it. The Soliman range will dissolve, as the Alps did to the Vinegar of Hanibal. I suspect there has been a great deal of exaggeration about the difficulties of this pass. The Natives lately arrived, say there is a good road, with plenty of water, and sufficient space for encamping all the way. I only wish Holroyd was with us, such a Jehu would easily whisk the Cawnpore Omnibus through it. To balance these cheering accounts, we have others of a less satisfactory nature. The Cabul Merchants daily coming in, assert, that the Candahareans and Persians, with the aid of 20,000 Russians have again besieged Herat and they seem to think the City will be taken, long before we enter Affghanistan. They say also, that the King of Bhokara has sent a large sum of money to Dost Mahomed, and has offered to join him with his whole Army. The Russian Officers are said to be getting on rapidly with the Fortifications of Candahar, and the works are reported as nearly completed. I give you these *on dits*, but cannot vouch for the authenticity of all of them. If the Ameers of Scinde continue to oppose us, or if the majority of the Chiefs of Affghanistan do not shortly espouse Shah Soojah's cause, our attempting to move beyond the banks of the Indus, with our present handful of men is of course quite out of the question. We require a reserve, at least as strong as our present Force, to overcome the Scindians, and keep open our communications. The sooner ten or fifteen thousand additional men, are embarked from the Bombay and Madras Coasts, and sent round to the Indus the better, Our Force is so small, and so deficient, particularly in Europeans, the only branch which the Natives, even take the trouble to count, as to excite the ridicule and laughter of every Affghan who enters our Camp. If Government are not aware of this, let them appeal to our present Military Leaders and learn from them the truth of this assertion. Adieu Sir.

MOULTANEE.

ROUTE FROM BAHAWULPORE TO SHIKARPORE.

Names of Stages.	Dists.	Date of Movement. Cavalry	1st Brigade Infantry.	2d Brigade Infantry.	4th Brigade Infantry.	Park.
From Bahawulpore.. ..	Mls.	29th, 30th & 31st Dec.	30th & 31st December	1st and 2nd January.	2nd and 3d January.	5th and 6th January.
To Khairpore,.........	11	1st January	January,	3rd	4th	7th
,, Hussim ka Bustee..	9½	2nd	3rd	4th	5th,	8th
,, Ahmedpore...........	8	3rd & 4th	4th	5th and 6th	6th and 7th	9th & 10th
,, Chani Khan ka Goth.	13	5th	5th and 6th	7th	8th	11th
,, Chowdri. ......—..	13½	6th	7th	8th	9th	12th
,, Mahmoodee Kundee.,	14	7th	8th	9th	10th	13th & 14th
,, Khaupore,...........	15¾	8th and 9th	9th & 10th	10th & 11th	11th & 12th	15th
,, Sumabada Goth,....	13	10th	11th	12th	13th	16th
,, Nousshera Kalan,..	13½	11th	12th	13th	14th	17th & 18th
,, Kathe ke Bustee,....	13½	12th	13th	14th	15th & 16th	19th
,, Sarwaee,...........	11½	13th	14th	15th & 16th	17th	20th
,, Subzul ka Koti,......	8	14th	15th & 16th	17th	18th	21st & 22d
,, Oobowrah..........	13	15th	17th	18th	19th	23rd
,, Bag odrah,.........	13	17th	18th	19th	20th	24th
,, Surhud,...........	9	18th	19th	20th	21st	25th & 26th
,, Gothee,...........	9	19th	20th	21st	22d & 23rd	27th
,, Daddools..........	13	20th	21st	22d & 23rd	24th	28th
,, Choonga,..........	12	21st	22d & 23rd	24th	25th	29th & 30th
,, Hossein Belee......	16	22d & 23rd	24th & 25th	25th & 26th	26th & 27th	31st and 1st
,, Goth Amil, cross Indus	5½	24th & 25th	26th & 27th	27th & 28th	28th & 29th	2nd
,, Kaee,.............	10	26th	28th	29th	30th	3rd
,, Shikarpore,........	17	27th	29th	30th	31st	4th

(From the North West Englishman, 29 Jan.)
Camp Oobhaura, January 29th, 1839.

SIR,—You will be glad to hear of our safe arrival in Scind. We entered the Khyrpoor territories this morning having halted two days at Subzulkot, an appanage of the Ameer of Hydrabad, though surrounded by the possessions of his relation of Khyrpoor. The latter, you will probably have already, has submitted and ceded the fort of Bhukur to the British. The former on the contrary still holds out, and we expect every instant to bring the intelligence of an action between the Bombay and those of the Ameer. Discussions are frequent in camp touching our right to a share of prize money as we have been hurried down by Sir Alexander Burnes to create a diversion in favor of the Bombay force. Sir Alexander joined as on the 8th. His accounts of Shikarpoor where we are to be halted are far from cheering; supplies are very scarce there. Ottah is now selling at 5 seers the Rupee, and Camels let at 15 Rupees per month each!

The news from Affghanistan daily increases in interest for those who like myself, are fond of a life of peril and adventure. The monotonous life of an Indian cantonment delighteth me not and I confess that each succeeding enemy we hear of, only makes me the better pleased to be engaged in this bold enterprize. Lieutenant Pottinger has it seems been compelled to quit Herat. Russian influence backed by Russian gold has proved too much for the Hero of Herat and Shah Kamran has declared against us. The Candaharee Chiefs too, have been tampered with and have backed out of their late friendly promises, and are girding their loins to oppose our march. If we are in luck we shall have all Cabul on our hands, and then hurra! for the Service, and the augmentation of the whole Indian Army! Sir Alexander Burnes seems pretty confident that the Ameer of Hyderabad will not yield without compulsion. Sir John Keane is quite strong enough to force him and the Ducks, will no doubt give a good account of the treasure chests of Hyderabad.

Our late Commander-in-Chief, Sir Henry Fane, is on the river, *parallel* to our Force, His Excellency cannot proceed down the river from the disturbed state of the Country and the Military Lawyers in Camp are in discussion whether he can again assume the command of Army and claim the Lion's share of the prize money?

Shah Kamran's tergiversation will afford the Governor General a good opportunity of getting over the difficulty regarding the independence of Herat. Considering the Prince as an enemy and Herat as a revolted Province of Cabul, would be both an easy and just mode of obviating the presence of two Kings in one realm.

Desertions from the Shah's Force seem to be at an end, There have been none for many days. The men are in high spirits and good health. The chief difficulty still arises from the want of sufficient carriage and the constant absconding of Camels. Part of our ammunition and some Sepoy tents were left behind on our last ground for want of Carriage and must be sent back for.

Since we entered Scind the face of the Country has entirely changed. Although high *jhow* bushes are still the prevailing feature of the Landscape trees are also numerous; the Country well cultivated the jungles abound in grass and water is plentyful. Indeed, our march now lies through a low swampy tract of Country scarcely raised above the level of the river and which, though now apparently healthy would in wet weather doubtless afford a fitting habitation for "Ague, the biform Hag."

We shall reach Azeezpoor in five more marches, and there cross the Indus. From the river to Shikarpore is about 25 miles through a Country said to abound in game being the preserve of the Ameer. The game will be more astonished at the irruption of Feringhees and detonatory than any other of the Affghan denizens.

Sir Willoughby Cotton's Force has likewise been hurrying down in consequence of Sir A. Burnes' urgent requisitions, and is within a few marches of us. Whether a bridge of boats be ready for us, it is doubtful. We are to cross at Azeezpoor in preference to Bhukur, why, I know not; there are only two boats ready at present but more are expected from Mooltan. Crossing our Force which has swelled to a gigantic size, will be the work of several days. If the Candaharees had any enterprize they might render it likewise one of danger and difficulty. But there is no energy among these sons of the golden East. The Shah's consequence and magnificence increase in equal ratio with his tail; His Majesty has this day commenced having an European Officer with the Wing of an Infantry Regiment and a Squadron of Cavalry on his guard, who have to pitch at the Royal Tents. It will be fortunate for his Majesty is resistance compels the British to give the Affghans a wholesome lesson. Nothing short of an active campaign will impress on the King's mind how much he owes to individual exertion to teach him that it is advisable while he regards the *national* aid, not to contemn or neglect the individual instruments thereof. At present His Majesty seems to consider His Force as but an inferior portion of his own rabble Army. How soon the day comes that we prove our respective strength I care not.

Sir A. Burnes will accompany us a short distance and return in time to join the main Army at Subzul kot. We proceed under Political care of Major Todd, but hope soon to be joined by the Envoy. Mr. Macnaghten, whose presence and experience would do vast good to the Force and set to rights any small abrasures which may have happened to our thin skins, and cause to curl with pleasure even Mr. Editor.

LONG HORNS.

CEYLON

Chief Justice of Ceylon.—We have reason to believe that we but re-echo a very general sentiment when we express regret that the Hon. Mr. Justice Jeremie has not been confirmed in the Chief Justice-ship of Ceylon.

Mr. Jeremie's name is associated in the cause of humanity with philanthropists who have won universal admiration. As a public servant in the legal department he has endured persecution, suffered severe losses, and made personal sacrifices, in the faithful discharge of his duties, that few men would feel called upon to undergo. On the Bench of Ceylon his decisions have been as lucid as they have been upright and impartial; and in the short period that has elapsed since his temporary elevation to the Acting Chief Justiceship he has done more than any of his predecessors have done in so short a space of time, to improve the practice of the Districts, and to elevate the profession of Proctors in the Colony. The latter especially, we believe to have been a subject that engaged much of Mr. Jeremie's attention; and as the welfare—to a considerable extent at least—of the community, and certainly much of their happiness. depend upon, the respectability of the legal profession, it is much to be regretted that Mr. Jeremie will not be able to carry out his contemplated improvements to their fullest extent

We have on more than one ocassion also explained the injustice of superseding the Hon. Mr. Carr, at present Acting Second Puisne Justice, who in a long course of public service has filled two temporary vacancies upon the Ceylon Bench.

In making these remarks however, it is but fair to acknowledge that we understand that our coming Chief Justice Oliphant has discharged the duties of Attorney General at the Cape of Good Hope, with great ability for some ten or twelve years.—*Herald Jan.* 22.

SHIP MORLEY The repairs required by the ship *Morley*: before proceeding to Bombay have been completed and the troops will re-embark to-morrow—she will sail early on Sunday morning.—*Herald, Jan.* 25.

WE are informed by a Correspondent that the *Porcupine* has sailed from Manar with a number of Labourers from the Coast, who expect to better their condition in Mauritius under the existing regulations established in that Island for the protection of all the emigrant labourers on the different plantations.—*Ibid.*

THE HARROGATE AFFAIR.

TO THE EDITOR OF THE MORNING POST.

SIR—The various statements; which have appeared, in the public papers connecting my name; with that distinguished and honourable Lady Miss Burdett Coutts —should as far; as they were false (and they are nearly altogether so) have met with a prompt and decided contradiction from me; and as far as they were true; such an explanation; as would have placed my character and honour, in this transaction; beyond imputation. Had I not considered; that these which were false; were so ridiculous that they would meet, with the same contempt from all sensible and honourable persons; that they did from myself. And as for those; which were founded on truth I perfered having some truth unexplained—to offering any explanation, *of it*; in vindication of myself; by introducing a ladys name, into the public papers—for the purpose of fairly representing a transaction; which originated, I believe in a misconception on the lady's part—and was blown into importance, by a contemptible fellow in Harrowgate and by the high station and rank of the Lady.

I should still observe the same silence; were it not that I find myself made; the object, at which the infamous low prints of London seek to shoot; their arrows; no doubt with the vain hope of injuring me, but as seemingly with the more cheering prospect, of, (by annoying) extorting money from a timid and apprehensive lady.

That I ever approached; that amiable lady's bed room, or threw letters into it; or in any other manner, behaved unlike a gentleman towards her; is totally false—and as base a fabrication; as the low rabble of the lowest, and most contemptible watering place in her Majesty's dominions—could invent—A place where scandal and sulphur water; are drank with thirsty; invigorating and alternate draughts—A place which appears only to require; the fire of another world; for it has the sulphur to be a hell on earth—and where there are persons ready to cover; those not otherwise diseased; with a moral leprosy.

That a timid and virtuous lady with reports in circulation. For

" On Angels wings immortal scandel flies;
Whilst a heaven born Action, no sooner born than dies"

with such statements in public papers—should feel alarm That a man (who was, in some measure; tho' innocently, the cause of them; should reside in the same neighbourhood; is as natural, as, it is honourable and excuseable; and had I been apprised of that circumstance—I certainly should not have approached the place. My residence at the Gloucester Hotel is a matter, of personal convenience to me whilst I remain in London, on business; and not as your informant supposes; either for the objects of fortune family or wife hunting—it has been for many months; while in London my residence if your correspondent has no objection it shall continue so—you will however; for his peace of mind inform him; that the distance from him; to the residence of the fair lady, he is concerned for; is so great—that the London fog—completely conceals and obscures; herself and her residence from my view, so that even the brilliancy of her eyes: can not reach me; and that even if the weather were more propitious; and the sun brighter—I have not the burning glasses of the Philosopher who when; he could not take the fortress, of his enemies set it no fire—nor do I possess the power of that wicked old gentleman *Jove*; who they say descended; thro' the roof of a tower —to visit some of these Ancient Goddesses; who certainly did not behave themselves so well, as modern *ladies*—do. Should your lady protector, seriously think—that my too near approach—to his *planet*—is either likely to interrupt its diurnal revolutions—or that; like Phaeton; my too near approach may melt my wings—I shall instantly—tho' at great inconvenience; remove to the farthest corner of London.—And permit me to request that as he is her protector, he will be my benefactor and that; if unhappily her fears, should ever again be awakened—that she, will (for I really like comfort) lock me up in Stratton-street instead of York Castle. Thanking you Mr. Editor for the kindness you have shown me, in not inserting in your valuable paper many of the ridiculous statements, which have appeared and hoping you will give this a place in some corner of it—

I am, Sir your obedient,

RICH. DUNN.

[We (*Morning Post*) give this communication *literally* as we received it. In such a case we do not think ourselves justified in altering even a letter.]—*Globe, November* 16.

COURT OF EXCHEQUER—TUESDAY, Nov. 6.

EXCESSIVE ARREST.—*Hemingway v. Hamilton.*—Sir W. Follett moved for a rule *nisi*, calling upon the plaintiff to show cause why he should not pay the defendant's costs, on the ground of an excessive arrest. The defendant was arrested for 2,400l., and the action brought for 2,600l., for commission upon the purchase of 1,040 tons of oil, and 65l. for wages and commission on the purchase of ivory. The plaintiff had, however, reduced his claim to the sum for which the defendant was arrested. At the trial a reference was agreed to, and the result was that the plaintiff succeeded in recovering no more than 1,772l., the commission being reduced from 1,040 to 845 tons of oil, and no claim being made before the arbitrator for any services with regard to the ivory. The learned counsel had an affidavit, in which it was positively sworn that there was no just and reasonable cause for the arrest for 2,400l.—Rule granted.—*Atlas Nov.* 10.

ZOOLOGICAL SOCIETY.—The ordinary meeting was held on Tuesday evening; Colonel Sykes in the chair Mr. Ogilby exhibited two specimens of the lagomys, singular animal, of which two specimens were brought over by Professor Royle from the Himalayan mountains where it is never met with at a less elevation than 11,000 feet. It is very rare and perfectly unique; partaking equally the character of rabbit and here. It has a very extensive geographical range being described by Professor Pallas in Southern Siberia where the natives are often indebted to the providence of this little animal for winter stores of provisions for their cattle. They store away their food under little conical hills, which the natives open for the provisions which they contain; the animals residing in a hole underneath the snow at some distance to which they burrow an approach. Dr. Horsfield exhibited some animals which were part of a collection of mammalia sent over by Dr. M'Clelland, one of the deputation sent into Upper Assam in search of the tea-plant. Along with these was a collection of about one hundred and thirty species of birds; the consideration of which however, with the former he deferred till another opportunity when he would be enabled more accurately to characterise the species. Colonel Sykes next read a paper on the fishes of the Dekkan, being a report delivered to the East India Company along with some others on the natural history and products of that country. Of 46 species which he described 42 were new to science; and they were all taken at an elevation of 1,500 to 2,000 feet, and some even much higher. They had been caught in the rivers on which he was encamped as his occasion required, and drawings were made on the spot, so that he had the advantage of giving the true colours before they were discoloured or shrivelled. Mr. Yarrell testified to the interest of the communication and the excellence of the drawings which were far superior to those of native artists, that could hardly be received as an authority.—*Chronicle, Nov.* 29.

Earthquake.—On the 29th and 30th of September Mount Etna was in a state of unusual violence; the lava from which has already attained the place called La Casa Inglese; and on the former day a smart shock of earthquake was experienced at Messina.

Printed at the Courier Press, by SORABJEE DORABJEE.